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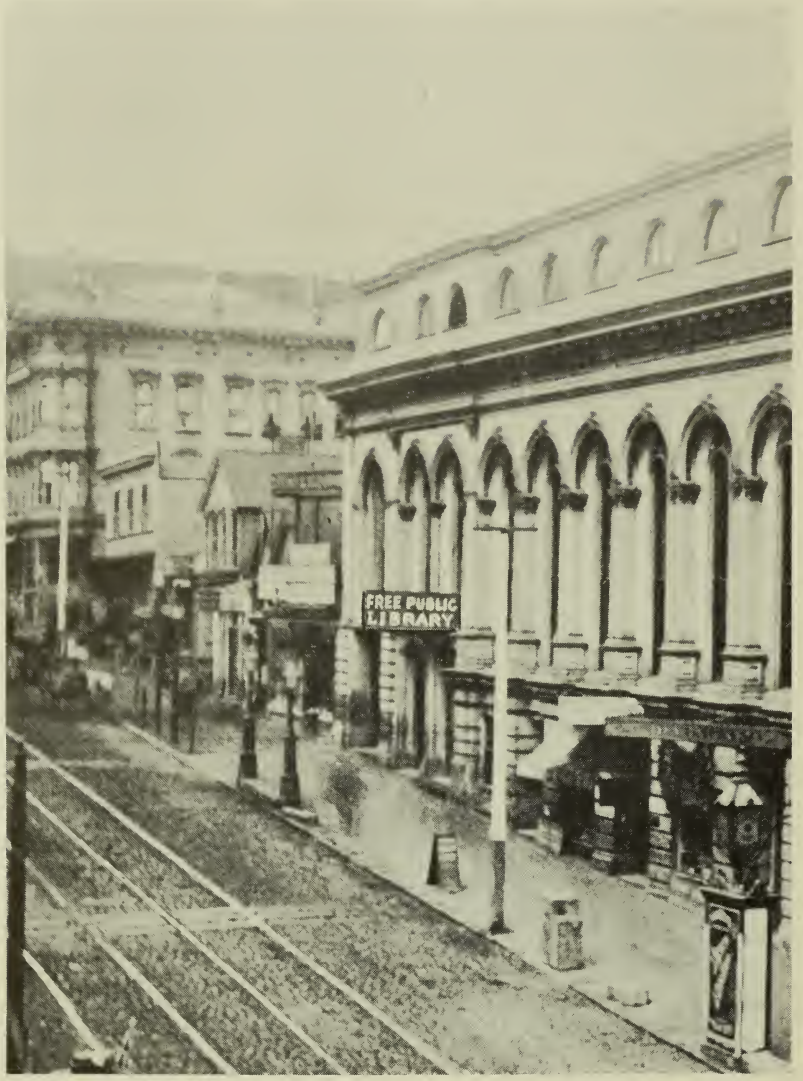

In 1879 the newly organized Free Public Library of San Francisco moved into Pacific Hall, which formed the west end of the California Theatre Building, on Bush Street between Kearny and Dupont. (Portions of A. S. Hallidie's opening address are given on pages 14-15.)

Courtesy of the San Francisco Public Library

Andrew S. Hallidie as Writer and Speaker

By EDGAR M. KAHN

ANDREW HALLIDIE once wrote[1] that "the story of a man's life can be told only in parts, each observer sketching out his impressions, until, when the time is ripe, the historian puts the parts together and produces the whole"—a comment which shows his modesty, for a man's notes, journals, and other writings are generally considered of more value than the "impressions" of others. In respect to Hallidie's original papers, the California Historical Society is particularly fortunate;[2] and the present writer is now adding another "part" in the history of this talented man, which is designed to supplement an earlier article, "Andrew S. Hallidie, Originator of Cable Railway Transportation."[3] In this study he proposes to give an example of Hallidie's descriptive writing and by quotation from his public addresses to show his connection with the efforts that were made during the last quarter of the nineteenth century to further the cultural side of life in California.

On the twenty-second of May, 1852, Hallidie arrived in San Francisco with his father, Andrew Smith.[4] They had come from England *via* New York, where he records[5] that he "had the honor, for a boy, particularly, of meeting and talking with Daniel Webster in the Astor House." In the preceding year, when Fremont's Mariposa Estate was placed on the London market, the elder man had acquired an interest in the properties. Consequently both father and son were eager to work one of the Fremont mining claims. But after some twelve months Andrew Smith, disheartened that the income from this investment did not nearly approach his expectations, returned to England. His seventeen year old son, however, continued at the mines for a while and then looked for a way of supporting himself other than by mining. He found it by transplanting to California the paternal method of achieving a handsome living.[6]

Leading up to this change in his plans were some difficult though enlightening experiences, one of which he relates in a piece called, "Ho! for Kern River." As it is a good sample of his descriptive writing, it is reproduced below from the original in the Society's collection.

"In 1853 the reports of rich diggings in Kern River seemed to be verified and a party of us rigged up a wagon and team and started from San Francisco for the diggings. It was not an unusual sight at that time to see prospecting parties with pack mules, ox or mule team, pass through the streets of the city, bound for some new diggings or on a prospecting tour. The heart of the town was the plaza—or Portsmouth Square—where horses or mules used to be hitched to the two-rail fence and around which were clustered the public gambling houses.

"Our route laid via Mission Dolores through the Santa Clara Valley—San Jose, Gilroy, over the Pacheco Pass into the San Joaquin Valley, down the Valley, passing Firebaughs ferry on the San Joaquin River, fording Kings River slough—which connects Tulare Lake with the San Joaquin at the bend of the San Joaquin—and numerous other sloughs, fording Kings River, Tule River, White River & Posa Creek. There were three log cabins at Visalia in one of which was a land office. Our general direction was South East and the distance about 260 miles.

"After passing Gilroy and approaching the Pacheco Pass, we encountered enormous quantities of geese sometimes presenting the appearance of a long white fence—until they caught sight of us when the fence rose in fragments into the air.

"For the entire distance with the exception of the pueblo of San Jose there were neither towns villages or settlements, and but one ranch where there was any activity—the St Louis Ranch on the southeast side of the coast range after passing over the Pacheco pass.

"Leaving the St Louis Ranch we saw no human life until we reached Firebaughs Ferry on the San Joaquin, but the San Joaquin Valley was full of wild animals roaming in great herds—the Elk, Antelope, Deer, and innumerable herds of wild horses. After passing the Bend of the San Joaquin we encountered other parties bound for the same place as ourselves who had come down on the east side of the San Joaquin.

"We were a little uncertain as to our exact route before reaching Tulare Lake, and I was detailed with a sailor of the party to explore farther to the west, with the result that we got badly tangled up in the sloughs of the lake, lost our way—laid out all night in the rain—feeling uncomfortable and hungry in the morning—which fortunately was clear and the Sun coming out we got our bearings—and by middle of forenoon found the tracks of our oxen and wagon, overtaking them by middle of the afternoon. They had erected a tall pole on the wagon & attached to it a flag so as to attract our attention.

"The principal matters of interest were in fording the rivers & sloughs. At St Kings River there were indians who assisted us for a small consideration. The ford was long—the water deep & cold. We unloaded our wagon & carried every thing across on our heads following the indians who proceeded us similarly equipped. The water was deep enough & the current was strong enough to carry one down stream, unless one was well loaded on the head. Everything was eventually carried across and landed on the other side. At the other streams the banks were muddy and steep—the wagon was lowered down the bank held back by ropes.

"As we approached Kern River, we met miners returning—disappointed & disgusted. The dirt showed little more than a color of gold to the pan, and after a very brief stop we turned back—sadder—but I am not sure if much wiser. The young sailor & myself put our blankets on our backs, & with some little provisions started off to foot it home as we could beat the ox team easily.

"The days were exceeding hot and in crossing some of the desert stretches, which we did at night, waiting until midnight for the moon to rise. On one occasion we had lain down to sleep—for sleep came to us as quietly as the stillness of silence and as restfully as the repose of a guiltless mind—we had lain down to sleep wrapped in our blankets in the midst of one of these grassy plains and had enjoyed perhaps three hours rest, when I awoke with the moon about an hour high, & beheld four deer grazing within a rod of us. It was not until I moved that they showed signs of fear and ran off. Except for the occasional presence of the great herds of elk, deer, and antelope, the tramp over the treeless plains was exceedingly monotonous . . .

"We had progressed pretty well on our journey—perhaps about half way between the bend of the San Joaquin & the Pacheco pass—and had become somewhat hardened to tramping although footsore and weary, when we saw some distance behind us the dust arising from the road, and in a short time were overtaken by a team of six horses attached to a large spring wagon and driven at a good rate of speed by a man who evidently knew how to handle the lines. On overtaking us he pulled up and asked us where we were going. On being told that we were bound for San Francisco, he said—Jump in. I am going to San Jose and will give you a lift to that point.

"Never had relief come so happily and unexpectedly. We did not hesitate to accept the invitation, and in a minute were off again at full speed. The outfit was well equipped and we camped wherever we found water. The party like ourselves had been to Kern River and having had the same experience returned as rapidly as possible.

"Nearing Pacheco pass—about 1 days drive from it—we ran into a large herd of Antelope. Several horses were with the party and as the leaders refused to allow any guns used, we thought to run the antelope down on horseback. Although the antelope seemed to lope away easily and slowly, we found that they distanced the fleetest horse without any effort. As I was on one of the horses I noticed that one of the Antelope was lagging behind and on approaching saw that it had a young one following it by its side. We made chase and succeeded in capturing the young one—the mother leaving it to its fate. The next day we reached the St Louis ranch and there they told us that they had captured a number of Antelope but found it impossible to raise them, although they had no difficulty with the Elk & Deer.

"Although we took every care of the little animal by the time we reached Gilroy it died."

* * *

Finally in 1857 Hallidie abandoned mining and returned to San Francisco, taking with him the extemporized machinery for making wire rope that he had set up at a quartz mine on American Bar.[7] It was this episode that brought him back to his father's mechanical methods in order to make his own living. He now went into the business of wire-rope manufacture on Mason Street near Chestnut, designing and erecting at the same time suspension bridges in various parts of the state, until 1865 when because of exposure and strain he was compelled to limit his work to manufacturing and invention. During the early seventies came his application of wire rope to the movement of street cars.[8] This was extremely successful and won the respect of his fellow townsmen,[9] but when articles under his name began to appear in the press, he received recognition also as a civic leader[10] and educator.

Hallidie had been elected a director and vice-president of the Mechanics' Institute of San Francisco as early as 1854, and in 1868 became its president. He had great hopes in the Institute as a center for the intellectual growth of its members. These hopes and the work of the officers of the Institute in attempting to carry them out he described in detail in a speech before the Librarians' Association of Central California on December 11, 1896. He called his address "The Story of the Mechanics' Institute." It is reproduced below with a minimum of omissions, duly indicated in each case.

"If I did not know that librarians are sometimes in the habit of sandwiching unreadable matter between attractive works, I should suspect this predilection from the position I am placed in, in the literary program of tonight. I am to tell the story of the Mechanics' Institute—a true story commencing in the dark age of San Francisco and terminating in the intellectuality of the present time when oral intellectuality, finding its exponent in the spirit of this association whose guest I am tonight, breathes the aroma of gentleness and courtesy born of the higher literature of its book lore.

"Interest in the Mechanics' Institute naturally centers around the creation and growth of its library, which has become the keystone of the arch that supports the institution. But as the library could not grow under the support of membership dues alone, there must necessarily be told in a general way the other things which made a library possible and built the Mechanics' Institute on the firm foundation it now occupies and endowed it with the magnificent property it now owns.

"I presume the theme of my paper was selected on account of my identification with the growth of the Institute—so that if I refer to myself occasionally, please ignore the 'I' and consider it an impersonality needing no apology.

"By a coincidence of date, on the 11th day of December 1854—exactly forty-two years ago—a few men identified with the Mechanical Industries of San Francisco gathered in Tax Collector's Office for the purpose of organizing an association to be called the Mechanics' Institute, and appointed a committee to draft a constitution and by-laws which was reported on 6th March 1855 and adopted as its charter under which the Institute was maintained for fourteen years.

"The purposes of the organization were declared to be the establishment of a library, a reading room, the collection of a cabinet [of minerals], scientific apparatus, and works of art and for other literary and scientific purposes. Two classes of membership were provided for—one of which consisted of stockholders having the right to vote and hold office, the other of subscribers who could not vote or hold office.

"As thus organized the Institute struggled along until one year after my election as its President when in 1869 the constitution was amended and the association re-incorporated, the stockholder class was abolished, and the following Article relating to the property of the Institute incorporated in its new charter. 'Article VI.—Property. No shares of stock, nor any individual right in the property of this Association, shall exist or be acquired during the existence of the Association, but the property belonging to, and in the name of the Mechanics' Institute, shall be held in trust by the Trustees of this Association, and never be diverted from the purposes and intention for which it is organized.'

"The Institute was thus placed on the broad basis of a public institution for the benefit of those who contributed to its support. Failing such support, the property would escheat to the State. Thus the temptation of personal interest in the property of the Association was removed and the incentive for its protection and the maintenance of the Mechanics' Institute in its integrity increased.

"Turning back to 1855—the library was formally inaugurated on April 5th by Mr. S. C. Bugbee, an architect of this city, presenting to the Institute a Bible, the Constitution of the United States, an encyclopedia of architecture, and Curtis on Conveyance. Shortly afterwards some one who evidently had made a mis-study of Curtis on Conveyance surreptitiously conveyed from the rooms the Bible and the Constitution of the United States—and over half of the library was missing.

"However, the loss of half the library did not discourage the members nor was the idea of a library abandoned, for on April 12 Mr. H. A. Miller presented 2 vols. and Hon. J. A. McDougal shortly after presented 39 vols. of U. S. Documents and Reports. The library thus enriched boasted of 45 vols. [*sic*] in all. The self-sacrificing and considerate gift of the Senator was celebrated by hanging his lithographic portrait in a gilt edged frame on the wall of the Institute's room.

"On 21 June 1855 the Institute hired a room on the 4th floor (it could not get higher) of the Express Building, cor. Montgomery and California Streets, owned by Sam Brannan. As there were no mechanical elevators in those days the ascent of four flights of stairs showed a devotion to the cause both inspiring and elevating.

"Mr. Root was appointed librarian on April 5 but, failing to qualify, the Board July 31 appointed Mr. P. B. Dexter, perhaps considering it more appropriate for an institution not yet firmly rooted and requiring dexterous manipulation for its successful maintenance. The press of the city contributed two copies each of the daily journals and thus the reading room was inaugurated.

"The question of lighting up the rooms agitated the Directors about this time and it was decided as gas was an expensive luxury, candles were good enough for the members, and a special appropriation of two dollars was made for the purchase of candles.

"September 12 a financial statement was rendered and it was found after providing for all liabilities [that] $125.00 remained in the treasury and that the library now possessed 75 volumes. On October 16th a volume of sermons was donated to the library—the effect of which seemed to arrest for a time its further growth.

"On the whole but little headway was made during the first year. The members, however, were faithful and adhered to their plans. The strictest economy was exercised in every detail—the report showed that $13.00 had been expended for candles during the year, that the receipts for the year had been $1106.86 and disbursements $1085.37, leaving $21.49 on the right side of the ledger.

"March 5, 1856, the second annual election was held, 68 votes were cast and the library contained 487 vols. On 13th May more desirable quarters were rented from Mr. Polhemus on California Street between Montgomery and Sansome costing $45.00 per month. At that time Washington and Montgomery was the business center, the above location being considered pretty far south.

"On July 30, 1856, the Librarian, Mr. P. B. Dexter, who was also Secretary, stated to the Board that it was painfully evident to him that the Institute could not any longer afford to pay his salary and he therefore requested the Board to pass a resolution that from and after the present month it should cease, adding that he would give his services gratuitously until other arrangements could be made. I cite this to show the spirit that pervaded the only paid officer of the Mechanics' Institute at that time, an example that was not lost sight of in its later history.

"But its affairs were at a low ebb. Its resources seemed exhausted and it did not know where to turn for help when Julia Dean Hayne, a distinguished actress, tendered a benefit which netted $1029.50 and thus relief came and the credit of the Institute was restored.

"This infused life and enterprise and on March 1857 with $300.00 as its sole capital the Institute [decided] to hold an Exhibition of the Industries of the City and State. Mr. James Lick gave the free use of the lot on which the Lick House now stands. A building was [erected] thereon covering 20,000 square feet at a cost of $7000, and on 7th Sept. 1857, the first Industrial Exhibition was opened. Mr. Henry G. Williams who is still among us delivered the opening address and Edward Pollock composed a poem for the occasion.

"This venture with a cash capital of $300.00 and a capital of unbounded courage and faith netted the Institute $2784.48 cash and the building all paid for–besides which the Institute turned into the treasury of each [of] the Catholic and Protestant orphan asylums $626.56. This Industrial Exhibition was the prelude to a long list of Industrial Fairs which with two exceptions were so profitable and have so largely contributed to the building up of the library.

"From the proceeds, $1000.00 were invested in books and in 1858 there were 900 volumes on the shelves and the association moved to better quarters on Montgomery Street between California and Sacramento [*sic*] over the picture store occupied by Jones Wool [*sic*] and Sutherland.*

"Encouraged by the success of the first Fair it was decided to hold another one which was opened in the fall of 1858. The population of San Francisco was then 60,000 and many small industries had been started. Great results were expected from this exhibition and it was believed that the Institute would be placed on a firm foundation with a library that would attract many new members.

"But the discovery of Gold on Fraser River put the people of San Francisco in a wild fever and the city was largely depleted of its population. Values of all kind depreciated. The amt. realized net from the Exhibition was $772.07 and the building was sold for $1200.00.

"The growth of the library was very slow indeed considering the efforts made in its behalf, and the Directors and members becoming impatient decided to give the 3rd Exhibition in the Fall of 1860. This was an unfortunate venture, being a total failure entailing a heavy debt on the Institute, and but for the determined effort of a few staunch members and friends would have utterly wrecked it.

"Spite of the discouraging aspect of affairs, extraordinary and renewed efforts were made to place the Association again on its legs. Courses of lectures and readings were given which were measurably successful and from the proceeds additional books were purchased and better accommodations added to the reading room.

"When greenbacks became legal tender the citizens of California protested against having her principal product 'gold' driven out, and solicited the Mechanics' Institute to call a meeting for the purpose of emphasizing her protest. The attendance was immense and the meeting successful. California retained sound money as a circulating medium and contributed her gold liberally to the support of the Sanitary Commission and the Government.

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*According to the San Francisco Directory, 1858, pages 289 and 299, Jones, Wooll and Sutherland's store was at 89 Montgomery Street, between California and Pine.

"A popular subscription was offered and a considerable amount was raised which put the Institute again on its legs. By this time the membership was half increased and the Directors felt justified in securing a lot and building No. 529 California Street. Here in October 1863 the library, which had now reached 5000 volumes, was installed and so well had the Institute gained the confidence of its friends that a 2nd mortgage of $2500 bearing heavy interest was lifted through their hearty cooperation. A successful course of lectures was given, the last of which was delivered by Thos. Starr King netting nearly $1000.00.

"Not discouraged by the failure of the last Fair, it was decided to give another one in 1864—taking advantage of past experience and avoiding past mistakes. The city gave the free use of Union Square, then an outskirt of the city, $10300 were borrowed to be repaid without interest and the principal to be repaid from the net proceeds of the Exhibition.

"The officers of the Institute pledged themselves to devote their time and energy to carry the enterprise to a successful issue. The Trustees were the entry clerks and watchman, taking their turn night and day, and each paid for his ticket of admission. The President, Mr. Joseph Britton, served on the night watch with the rest. I know the labor of that Fair as I was a member of the Board, but it was a labor of love and the results justified the effort. Not only was the building which cost $22000 paid for, and the borrowed money returned, but there was a net gain of $3413.31, a portion of which went to buy new books—the library now contained over 6000 volumes.

"The building being all ready for another Fair, the fifth Exhibition was opened Aug. 10, 1865, and it netted the handsome sum of $16741.82 including the amount realized for the building. Many valuable books were added so that the library was increased to 9000 by the end of 1867, and to 11000 vols. in 1868.

"The premises on California Street were found too small for the uses of the Institute and as there were some funds on hand it was decided to sell its present location and seek a better one. The present site on Post Street was secured and a building erected thereon at a cost of $79750.00. The Library was moved therein early in 1866.

"Two years now passed without there having been any great effort made to increase the resources of the Institute or its library. The members evinced considerable dissatisfaction with the management, and early in 1868 a number of meetings were held which eventuated in a formidable opposition to the party in power and the nomination of a members' independent ticket which was successful after a very spirited and interesting campaign—and resulted in electing me President.

"The new library building had run the Institute heavily in debt and it was decided to hold at least two more Exhibitions, if permission from the supervisors could be obtained for the use of Union Square on which to erect a building. Permission was obtained, and a loan of $25000 being obtained from public spirited citizens without interest, a large exhibition building was erected at a cost of $44258.21 in which the 6th and 7th and 8th exhibitions were given.

"The management of these Fairs having had experience in the 4th Fair where so many personal sacrifices were made, put into effect the same business principles of that Exhibition sprinkled with judicious liberality. The result of these 3 exhibitions, held respectively in 1868, 69 and 71, netted the Mechanics' Institute $63192.83. This very satisfactory result enabled the Trustees to reduce the mortgage and invest heavily in books, so that in May 1870 there were over 15000 vols. on the shelves and on June 1, 1872 there were 17239.

* * *

"On the 4th March 1869 the most important event in the history of the Mechanics' Institute took place—i. e., the re-organization and re-incorporation of the Association to which I have referred in the earlier part of this paper.

"In view of the fact that the property of the Institute was vested in shareholders, who in fact constituted but a small portion of its membership, personally I felt indisposed to devote the time and attention needed to put the Mechanics' Institute on a firm foundation. In this feeling all those who had given their time and were willing to give their time for this purpose fully shared. It was exceedingly gratifying that these shareholders consented to abandon their shares of stock and to reorganize the Association on a broader basis.

"At the date above named, a meeting of the members was called and the Directors were unanimously instructed to proceed. On Aug. 7th, 1869 this was consummated and the Association began a new life on a broader and more liberal basis, with increased usefulness to the public and its members. With renewed confidence and hope all joined in building up the Institute and its library which had already reached respectable dimensions.

"The membership dues were placed at $6.00 per annum, but the library per se until (?) had never paid its way from membership dues alone, the deficiency having to be made up through such resources as lectures, entertainment and more particularly Industrial Exhibitions.

"Union Square no longer being available as a building site for these Exhibitions, three years passed by without them, and it became evident that not only were they necessary for the growth of the library, but under wise and business like management they acted as a stimulus to the Industrial interests of the state and to the Trustees and members of the Association, besides satisfying a public demand.

"It is worthy of record that the Industrial Exhibition of 1871 was largely international in its character. An agent was sent to Japan and the Government of that almost unknown country was solicited to send commissions to this Exhibition—and for the first time in its history it sent commissions and a large force of assistants, with an exceedingly valuable and extensive collection of the natural and manufactured resources of the country. I believe that up to this time Japan had declined to send to any of the European International Exhibitions.

"It was therefore determined to hold the 9th Industrial Exhibition in 1874. Accordingly necessary steps were at once taken to that end. Mr. Andrew McCreary generously offered the use of his two 100 vara lots on 8th Street [between] Market and Mission streets for a term of years, in consideration [that] the Institute pay the taxes thereon and $1.00 per an rent. This location at that time was considered pretty far out for the purpose, but his offer was accepted, the matter was very carefully canvassed and considered by the Association and the leading citizens of San Francisco, resulting in the determination to erect a larger building than heretofore attempted.

"The responsibility, care and anxiety involved in an enterprise of such magnitude at that time can only be appreciated by those actually engaged. It had already been demonstrated what could be done by pluck and energy and good and honorable management, and the leading citizens were not slow to rally to the support of the men willing to carry this enterprise forward. Before entering upon this undertaking involving the expenditure of over $100000.00 before a dollar's return could be realized, those at the head of the banking, gas, water, insurance, and manufacturing concerns in the city were consulted and sounded as to the amount it would be possible to raise as a loan without interest.

"To one citizen perhaps more than to any other was owing the success of floating that loan. When Mr. William C. Ralston was conferred with he said at once, 'It is a good thing for the city—go ahead and I will stand by you!' When the time came to ask him for his subscription, I told him that we had very carefully apportioned the amounts needed and that his subscription of $5000.00 was necessary to make it a success. He listened and whistled. He remarked that was pretty steep, but that he would subscribe $2500 and he would get Sharon to subscribe a similar amount. This, Sharon, whom I met in company with Ralston a few days later, refused to do. I explained to Mr. Ralston that everything depended upon his subscription of $5000. He hesitated a few minutes and then said 'Damn it, it's no use making two bites of a cherry. Give me that book'—and placed therein his subscription of $5000.00. With this as a starter, $52530.00 were raised in a few days. But as this was not sufficient, some of the Directors gave their personal note for $2000 with interest, and the building, 550 x 200 ft., was erected and fitted up at a cost of $106330.60.

"When the building was opened for the Ninth Industrial Exhibition 18 Aug. 1874, so great was the feeling of personal responsibility, that I felt it incumbered upon me to give it my almost undivided attention. I closed my house and moved my family into a suite of rooms on Mission St., adjacent to the building, and remained there during the continuance of the Exhibition.

"The first four Fairs held in [the] building resulted in a net profit of $21830.58—all loans repaid, and the building free, and the Institute free of debt, and in possession of the fine building it now occupies on Post St. and the large Exhibition building on 8th St., having on its shelves 29516 volumes. Having served as its President 10 years, I felt compelled to take a needed rest and resigned.

"Continuing in the same spirit—the 13, 14, 15 and 16 Exhibitions were held in the building erected in 1874 and netted a profit of $73492.17.

"On Dec. 15, 1881, the Mechanics' Institute bought for $175000 the block of land [bounded by Larkin, Grove, Polk, and Hayes streets] now occupied by the Machanics' Pavillion—which was moved from the 8th Street site and erected thereon. On the new site, thirteen Industrial Fairs have been held, which have aggregated a profit to the Institute of over $275000.

"Having sketched the history of the Mechanics' Institute somewhat in detail through the trial of its youth up to 1878 when it may be said to be fairly on a safe foundation, it may be remarked that whatever was lacking to round out the completeness of its growth and strength was made good when, through the advice and efforts of its president, Mr. P. B. Cornwall, in 1881 the property above referred to was purchased and which is worth today [Dec. 1896] $750000.

"The three great epochs in the history of the Mechanics' Institute—the reorganization and reincorporation of the Society in 1869, the erection of the Exhibition Building in 1874, and the purchase of the block of land on Larkin Street in 1881—then made possible the substantial growth of its Library and membership as follows:

	1880	1885	1890	1895
Members	1,537	2,123	3,970	4,465
Volumes	30,000	36,328	51,820	68,363

and 73241 volumes at this date.

"With the exception of $10000 left by the late James Lick, the Mechanics' Institute has never been the recipient of any state, city, or personal endowment.

"In closing the 'Story of the Mechanics Institute' I may be permitted to add a few words respecting a wider field of usefulness by such libraries as are rich in special lines.

"It is in my opinion of great importance that libraries located within a certain distance of each other should avoid unnecessary duplication of work of reference—or standard work of high cost—a proper understanding between these libraries would avoid this and enable the money, which would otherwise be thus expended, to be invested in a more useful direction.

"Again. As each library possesses a line of literature peculiar to itself and probably not in possession of the other library, it would be a wise and useful thing to have such works listed for exchange.

"For example, let a committee of librarians prepare a plan for such exchange—based, we will say, on 500 or 1000 books in each library in the library exchange which shall be selected and listed and which will be subject to the order of the librarian of each of these libraries. It is evident that each library would be enriched just that much and the value of such interchange would be fully appreciated by the scholar or investigator. In addition a list of new purchases or acquisitions should be to and between each of the libraries of this exchange.

"This annual gathering of Librarians is of great value to the literary world, and as they become more settled down to the real purpose for which this Librarians' Association was formed, it will have an economic bearing upon the real objects in the existence of libraries and the relations between the library, its books, and their readers."

By act of the California legislature in 1868, the College of California was transformed into the University of California. Under one of the provisions of the act, the president of the Mechanics' Institute became an *ex officio* member of the Board of Regents. Thus Hallidie took up his long-term devotion to the affairs of the state institution, serving in the capacity of regent continuously, either as president of the Mechanics' Institute or by virtue of appointment from the governor of California. In addition to his duties as chairman of the finance committee, he acted as president of the university in the interim between the presidencies of Martin Kellogg and Benjamin Ide Wheeler. In an account written in 1899 for the *University Magazine,* he says that he ". . . looks back over a period of thirty-one years of intimate connection with the government of the University . . ." And in August of that same year, at a banquet given to the Board of Architects[11] of the Phoebe Hearst Architectural Plans, he speaks of the haste with which those years had been filled. "California was not of age when the State University was organized and a generation has not passed since the event occurred." The deliberation and forethought of older communities, he said, had been absent; ". . . when we have wanted a thing we have wanted it badly and we have scarcely had time to breathe until we got it. Progress is every where here strongly in evidence but it has been of a heterogeneous nature and oftentime we have had to advance backwards in order to make enduring progress.

"Our friends, the guests of to-night, who have come from Dresden, and London and Paris and New York, will probably look with more amazement than admiration on the varied tastes in evidence all around them, and I fear they will be inclined to give more credit to nature than to art for that which is beautiful."

He is not too much saddened, however—in fact, he sees humor in the situation: "Under the pressure of circumstances, we have attempted to house the faculty and the students; but the faculty of being students of the beautiful in architecture and its possibilities for the future, does not appear to have been a well developed success. We have a magnificent building site but the sight of the buildings is not magnificent, and the building of the State has claimed more attention that the state of the buildings. But in spite of all this, the University, as an institution, has grown, and has commanded from year to year the increasing respect of the educational world . . ."

It might be remarked here that although Hallidie as a youth took his uncle's name for his own, there is no indication that he took over Sir Andrew's preoccupation with royalty (see Note 4). On the other hand, there is no trace among his writings or in his speeches of the use of the term "masses," or its equivalent. To Hallidie of California the world was populated by *individuals*, whose choice and responsibilities were in their own hands. The idea of there being "masses," apart from himself, had no place in his philosophy. He seems to have been just as free from condescension as he was from conceit. Nor did he think it necessary to wait for Commencement Day to make the individual's place in the universe clear to the younger generation. In 1899, in the absence of the president of the university, the duty of addressing words of welcome to the Freshman Class fell on Hallidie. This duty he passed on to Professor Joseph Le Conte, speaking first himself by way of introduction. The latter part of his address, transcribed from his penciled notes in the Society's collection, is given below.

"In becoming members of the student body of the University of the State of California you have cast off the irresponsibility of boyhood & girlhood and have in fact become as men and women, and your acts and deeds and thoughts must be worthy of such in the highest manly and womanly sense.

"Representing the State, the Honorable Board of Regents has placed on you no restriction, has fixed no rules to guide your conduct. It welcomes you here in full confidence that that liberty which you will enjoy will be honorably nurtured and jealously guarded, for like all good citizens you are here on honor.

"As you advance year after year of your four years of life in Berkeley you will realize more and more the breadth of meaning attached to that word and how far it reaches in its uprightness and downrightness, and the desirability of expanding that credit and distinction which the students of this noble institution deservedly hold among the similar institutions of the republic. Moreover by your example you become teachers and in the higher plane encourage and strengthen and fix that which is best in your associates.

"In the future when you assume your position in the affairs of life and are brought in contact with the best and worst features of human passions, this unassailable citadel of your personality will be the reserve strength of your moral integrity.

"We rejoice to see you here. The revered and distinguished scholar who will address you is one whom we, elders, rejoice in being permitted to call 'brother.' Coming to the college contemporaneous with the advent of the University 31 years ago, he has been with us ever since. Class after class has been inspired by his presence, honored by his friendship.

"While the absence of the President compelled a change in the usual program, you have a full measure of compensation listening to our most honored and dearly beloved Professor Jo Le Conte.

"Dr. Le Conte, let me introduce you to your children."

Hallidie's devotion to the cause of books led him to join with his usual thoroughness in the campaign for a public library in San Francisco. At length, on June 7, 1879, occurred the opening of the San Francisco Public Library with Andrew S. Hallidie making the principal address. After eulogizing the public school system of the United States, he went on to say that public libraries were ". . . generally recognized as adjuncts to and essential sequences of the public schools. . . . As the apprentice is taught in the practice of his art to use the tools of his craft or the swimmer is taught to swim, so the scholar in the public school is taught the use of books. Destroy the tools and there is no need of the apprentice; remove the water, the swimmer's occupation is gone; abolish the public libraries, the usefulness of the public schools is impaired; by neglecting your harvest, what availeth the seed?"

He then described the tour he had made of Europe and the United States in 1874, primarily to inspect technical schools, but during which he had taken careful notes on libraries, especially those in this country. He had found, he said, in St. Louis, Indianapolis, Cincinnati, Philadelphia, New York, Boston, "well established, free public libraries, all active and growing; and there remains the city of San Francisco, with its population of about 300,000 souls, with its feeble attempt at a public library, disputing over the miserable appropriation of $24,000.*

"I cannot but feel humiliated that San Francisco should have so long stood alone not only without a great public library, but without any of those public galleries and halls which tend so much to make a community better in thought and action.

"The public libraries of America have a unique existence and a patriotic object. They are not gathered together by the vanity of national pride or wealth, and are thus different to the great libraries of bygone ages, but they are built up by the necessities of conditions peculiar to the American people; they are the guide, the friend, the solace of the workingman and toiling woman—the instructor, the hope and the rest. The public schools make them a necessity, and to impede their success, their progress, or their usefulness by ever so little an obstacle is a crime before God and man.

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*The amount appropriated by the Board of Supervisors for the first year of operation.

"Let us then earnestly unite in destroying the difficulties in the way, and with those difficulties sweep away those who through ignorance or viciousness would retard the onward progress of the Public Library of San Francisco."

At the time of Hallidie's death a committee of the Board of Regents of the state university prepared a statement,[12] signed by I. W. Hellman, Chester Rowell, and Charles W. Slack, in which it was said that "although a conservative man, Mr. Hallidie was always ready to accept new ideas in the educational affairs of the University." As a student of mechanics, however, he was interested first in tools; and, in his opinion, first among tools for the citizen was literacy. He wanted his fellow citizens to be *literate*, so that they could separate the bad from the good in the realm of ideas. But he did not stop there—he wanted them to be equipped so that they could separate the best from the merely good. That, to Hallidie, was culture.

NOTES

1. Hallidie, A. S., "William T. Coleman," in *Overland Monthly*, January 1894, pp. 71-75.

2. Hallidie Papers in collection of California Historical Society, gift of Mrs. Philip Rowe, a niece of Mrs. Hallidie.

3. Kahn, Edgar M., this QUARTERLY, XIX, No. 2 (June 1940), 144-156.

4. Hallidie in his autobiographical notes (Hallidie Papers, as above) says that he was "named for his uncle, Sir Andrew Hallidie, family physician to King William IV and Queen Victoria of England and author of the Annals of the House of Hanover, Genealogical History of the House of Guelph . . . and in accordance with his desire he adopted that name."

5. Autobiographical notes, as above.

6. Hallidie says of his father that he was an engineer and inventor and "took out a large number of patents [in England] among the most important of which was for his application of wire to the manufacture of rope for which he received patents in the years 1835–6 & 9 & later. He erected large wire rope works and introduced wire rope for mining purposes and ships' rigging." (Autobiographical notes, as above.)

7. Kahn, *op. cit.*, p. 146.

8. Hallidie, autobiographical notes, as above; Kahn, *op. cit.*, pp. 149-152, and his *Cable Car Days in San Francisco* (Stanford University Press, 1940), Chapter III.

9. Hallidie's business sense was brought out in 1868 while he was acting as one of the commissioners, appointed by the legislature, to determine the premiums to be offered by the state for various industries. In the view of Hallidie, the premiums proposed for silk cocoons and for mulberry trees were too large and would induce speculation. This opinion received the backing of Governor Haight, and as a result of their stand, a heavy indebtedness was prevented from being fastened on the state without any return. (Hallidie Papers, as above.)

10. During his busiest years, Hallidie took time for a piece of civic research, upon which he reported in an address, "Drinking and High License," before the Century Club of San Francisco in September 1890. "In 1870 and 1871," he said, "while President of the Mechanics Institute, I visited a large number of family-grocery stores, for the purpose of satisfying myself as to the truth or falsity of the statement that they were resorts for young men, for drinking and gambling; and in my report to that institution I stated that it was unfortunately true, that I found usually in the rear of the store, behind a pile of boxes and screen, men and boys drinking and playing small gambling games. What I said then, I fear, applies still to many of these corner groceries, to visit which has no appearance of wrongdoing by boy or woman—the latter especially, who buy family stores there.

"If there is any drinking in such places, let it be done openly, as the people of Berkeley have provided, and not protected by the screen in the store in which family groceries are sold—and which grocery stores exist in the most respectable parts of the city . . ." Hallidie's remedy was not prohibition, but the levying of a high license accompanied by responsibility in the licensee.

11. The Board of Architects consisted of J. L. Pascul of Paris, Walter Cook of New York, Paul Wallot of Dresden, and John Belcher of London. (Transcript of address in Hallidie Papers, as above.)

12. *University Chronicle,* III (Oct. 1900), 285.

Pioneer Agricultural Colonies of Fresno County

By Virginia E. Thickens

CONDITIONS of agricultural settlement in the arid West have been different in a number of respects from those prevailing in other parts of the United States. The critical feature has been a lack of water, making settlement by individuals difficult or altogether impossible. In all of these areas except the Great Basin, Spanish pioneers of the seventeenth and eighteenth centuries had practiced agriculture by irrigation; but the size and variety of the crops they planted were as circumscribed as their canals, and in the vast perspective of the surrounding plains, their little gardens, though ingenious and refreshing, seemed insignificant.

Besides the lack of water in the West the settler had to face another difficulty, namely, free-roaming cattle. Aid came to him finally though indirectly through the increase in population (from some 5,300,000 in 1800 to roughly 17,300,000 in 1860) in the eastern section of the country, creating not only a demand for more food but for greater quantities of fruit and wines in the American diet, and the West was looked to as one of the most likely places of supply. However, when the dry plains in California were surveyed and opened to settlement, it was realized that the difficulties of production were extreme, and that only through joining in the efforts of his fellow settlers, to secure water and restrain the cattlemen, could the individual irrigator succeed.

One of the most important of all the dry regions which were early used for farming was the great San Joaquin Valley. Here group effort generally took the form of colonies composed of individuals from a common locality "back home" in the East, or with a common bond of church affiliation or nationality. Thus, in the San Joaquin Valley there was an Alabama Colony, a Scandinavian Colony, a Temperance Colony, and so on. Agricultural colonies existed also in other parts of California, and as they have considerable significance in the social and economic history of the state they deserve study as an institution. The entire subject would be too large to be presented in a single article, but by studying a smaller, representative area it is possible to bring out the main features of colony life. Accordingly Fresno County has been chosen for a type study of these institutions on the arid plains of the San Joaquin.

The earliest history of what is now Fresno County is meager up to the arrival of the first permanent settlers. While California was under Spain and Mexico, the San Joaquin Valley was the "back country," often referred to as *tierra incógnita*, and was visited only by a few expeditions, made with a view to exploration or in search of runaway Indians from the missions on the coast. The exploring expeditions traced the geography of the valley in outline, and gave names to water courses, hills, and canyons. In the portion now comprised in Fresno County there was only one Mexican land grant, namely, that given to Manuel de Jesús Castro by Pio Pico, but it was used solely as a medium for borrowing money and was never settled during that era.

Though little known to the Spanish and Mexican inhabitants of California, the San Joaquin Valley became the gateway to early Anglo-American visitors and settlers. In 1827 Jedediah Smith, first known American trapper in California, led a band of his fellow trappers the length of the valley from south to north. Fremont in 1844 gave the first comprehensive description of the Fresno area, recording with general accuracy the main features of the land and the plants and animals. But the fifteen years of trapping that followed in the wake of Jedediah Smith, and such rousing events as the Mexican War, the Bear Flag Revolt, or even the annexation of California into the Union, had little effect upon the San Joaquin Valley. It was the Gold Rush that started an era of real development. There was now an influx of miners into Mariposa County. In 1851 Coarse Gold Gulch became a lively mining camp; there was a settlement at Centerville on the upper Kings, and the town of Rootville grew into a supply base for miners operating along the San Joaquin. Fort Miller, which eventually caused the name of Rootville to be transformed into Millerton, was established to check Indian raids. By 1856, Fresno County (named after the Spanish word for ash tree, common along the banks of its streams), emerged as a political entity, being taken from Mariposa, Merced, and Tulare counties, with Millerton as the county seat. When trouble with the Indians declined, Fort Miller was abandoned, and in 1874 the county seat was moved to Fresno, leaving Millerton practically deserted.

In Fresno County the mining era, though it had started settlement, was brief and was soon replaced by stock raising, which flourished during the fifties and sixties. In general, the cattle were of Spanish origin, but some of them were from herds brought from the East. Native and imported, they were set out to graze, regardless of the fact that their owners had no title to the land. It was natural that these cattlemen should oppose the entrance of farmers into the San Joaquin Valley. In the early seventies came another hazard for the farmers—the sheepmen, interested in wool as the only marketable part of their animals. What hope had the farmer? To the question of water was added insecurity in the ownership of land. These questions were later seen to be interconnected.

Among the first persons to show any great interest in actual land ownership in Fresno County were William S. Chapman and Isaac Friedlander who bought vast tracts from the government in 1868 and 1869. Of these holdings, 80,000 acres were sold to a German Land Association, which divided the tract among the various members. A. Y. Easterby, one of the members of the association, bought 5000 acres. He engaged Moses J. Church (ironically, one of the anti-agricultural sheepmen) to settle on his land, and it is because of this man's success in irrigating such a large holding that he has been given credit as the pioneer of that type of farming in the county. "Easterby's Rancho" became one of the bright spots on the barren plains—a much more intense bright spot than had been created by some of the earlier attempts at "dry farming" after the land had been surveyed by the government.

The present city of Fresno owes its location indirectly to Church's work. When the Central Pacific Railroad was extending its line into the San Joaquin Valley in the early 1870's, it sent a committee ahead to look for town sites. Easterby's 2000 acres of green wheat, in the center of thousands of acres of grazing land, were an attraction which would encourage new settlements, and a town site was chosen three miles from this rancho.* But as the town site itself lay practically in the center of a desert region, there were no bidders for lots along the new roadbed. The railroad company therefore permitted the first settlers to occupy the lots and pay for them if they remained. The value of land rose sooner than was anticipated, the town of Fresno was established, and the center of population shifted to this new location. By July of 1874 there were 29 business establishments and 25 homes in Fresno. An election held that year resulted in the moving of the county seat from Millerton to Fresno, as mentioned earlier. During that year, too, the "No fence law" or "Trespass act" (see Note 16*b*) gave agriculture its first real chance to succeed, for it protected the farmer against the wandering herds of the stockmen.

Before taking up the study of the colonies themselves, some details will be given as to the manner in which water was finally made plentiful in the Fresno area.

*Ben Randal Walker, "Fresno: 1872-1885, A Municipality in the Making," Fresno County Historical Society *Publications*, Vol. 1, No. 2, 1934, p. 3, speaks of the Central Pacific Railroad reaching the San Joaquin River in March 1872, and that in April it was constructed to a point known as "the Sinks of Dry Creek," where a "Fresno Station" was established.

WATER COMES TO THE DESERT*

When in 1868 Moses Church built a cabin on government land in the San Joaquin Valley and a corral for his 2000 sheep, he soon realized the hostile attitude of the stock raisers to newcomers. He was accosted one evening, on his way back to his cabin from Centerville, by a band of cattlemen armed with lariats and revolvers. "Yank" Hazelton, purporting to be the "owner" of all the land, accused Church of trespassing and ordered him to leave the valley.[1] After a series of threats from the other members who wanted to "hang him on the spot" or "throw a rope over his neck and drag his existence out over the plains," Hazelton approached Church, drawing his revolver. Realizing the futility of resistance, Church agreed to their demands that he be gone by nine o'clock the following morning.[2]

Upon reaching his cabin, Church found it in smouldering ruins, the corrals broken down, and a drove of pigs devouring his supply of seed and provisions. Aware that these men were in earnest, Church, as has been said, settled on Easterby's land where he began his first work in irrigation. His conflict with the stock raisers had only begun, however, for three attempts were made on his life by the Hazelton band. At no time was Church cowardly. Although he was a comparatively small man, he had been a blacksmith and was not wanting in physical strength. Church owned a shotgun, but never carried it, so that throughout this struggle he was not responsible for any deaths, though at that time there were many. "Men were killed outright or taken off and lynched to appease the wrath of the cattle lords up and down the Kings River."[3, 3a] Preparatory to taking up his work of irrigating Easterby's land, Church had sold his sheep. What his plan was, will be described after a brief review of the canals already in existence.

Before 1866, the Kings River flowed at will.[4] The first efforts to make use of its waters were made by individuals for their own personal needs. During the summer of 1866, Anderson Akers and S. S. Hyde had a small ditch running from the west bank of the Kings down to their farms,[5] which was a satisfactory arrangement for their purposes. It was still in use in the summer of 1868, at which time these men sold it and their water rights to the Centerville Canal and Irrigation Company which was formed that year.[6] This company posted a notice of appropriation and immediately began to enlarge the Akers-Hyde Ditch. A headgate was put in at the river, and water was run down to Centerville to supply several settlers with a more than adequate amount of water. The year following, J. B. Sweem constructed a ditch, turning water from the west bank of the Kings, about a mile and a half from the Centerville Canal Company's ditch.[7] He used the water to irrigate his land and also to run his mill.

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*Strictly speaking, the Fresno area is not a desert, as the rainfall is well defined, whereas in the desert it is spasmodic, often occurring in thunder showers. During the drought of 1876–77, mentioned later, the seasonal rainfall (that is, from July 1, 1876 to June 30, 1877) is estimated to have been only 2.71 inches in the vicinity of Fresno. Normal rainfall is around 9.5 inches.

Such were the small beginnings that preceded Church's irrigation project. He, Easterby, and Robert Edmiston, an engineer, devised a plan to make use of Fancher Creek, then a dry bed, which had its terminus on Easterby's land.[8] With Easterby's backing, Church first bought Sweem's Ditch and appropriation; then he obtained a franchise from the Secretary of State in July of 1870, appropriating 3000 cubic feet of water from Kings River.[9] When he first came to the San Joaquin Valley, Church had purchased some stock in the Centerville Canal Company; and as he believed that for any degree of success it was necessary to have a great supply of water, he proceeded to buy the remaining interests in the company.[10] Improving and enlarging the Sweem and Centerville ditches, and commencing work on his own appropriations, were the next steps toward the construction of an extensive irrigation system.

Church realized that the success of his plans depended on the possibility of inducing more settlers to come to the county. Securing an appointment as deputy land agent, he wrote to his friends telling them of the government land available and the future prospects of a plentiful water supply.[11] In a few months about one hundred persons had come, most of them settling near Easterby's Ranch and toward the hills, thereby strengthening the farmers' stand against the cattlemen. Many were employed by Church and his backers in their project of diverting water from the Kings down to Easterby's land by connecting it with the dry channel of Fancher Creek. The new settlers thus found a livelihood and could at the same time put in their own wheat crops.

These people, too, experienced the opposition of the stock raisers, but they continued their efforts, and slowly though steadily the work progressed. Three miles above Centerville a dam was constructed. From the dam two channels were laid, which converged a mile and a half out on the plains. At this point a larger canal carried the water to the bed of the creek.[12] From the creek smaller ditches led to the fields. In this way the water was run some twenty miles through the plains in time to irrigate the wheat fields when it was most needed. Fine crops were harvested the following summer and definitely demonstrated the great fertility of the soil. Two years after his arrival, Church had proved that the plan was not only practical, but that in time it would enrich the entire country.

Not content to leave his work at this early stage, he proceeded to enlarge his system. This necessitated a great deal of capital, so he decided to incorporate. On February 16, 1871, the Fresno Canal and Irrigation Company—comprising the Sweem Ditch, the Centerville Canal and Irrigation Company's appropriations, and the Church rights—came into existence. A fourth interest each was purchased by Easterby, F. Roeding of Napa, and W. S.

Chapman.[13] With renewed enthusiasm Church began to develop a more extensive project, keeping at the same time all of the original ditches running at full capacity.[14] By 1872 water was running on to the plains at a capacity of 2000 cubic feet per second; and it was because of this water that Easterby's already mentioned wheat crop had been made possible.

Each year witnessed further extensions and enlargements of the canals.[15] As the work progressed, the stock raisers became more alarmed. People were coming into the valley in spite of their threats and warnings; from the farmers came the cry for a "no fence law" in answer to the many acts of depredation. As the conflict each year grew more serious, it became a matter of state interest. Church, in support of the law, was active in securing the election of John W. Ferguson of Fresno to the state assembly and Tipton Lindsey of Visalia to the senate to oppose Tom Fowler, then a senator, who was also an important stock raiser. When the contest began at the state capital, Church and Easterby were there. They engaged David S. Terry, and also won State Senator W. W. Pendegast, to combat Fowler, who, in opposition, was championing the rights of the cattlemen.[16, 16a] The contest was close, but the farmers finally won out with the passage of the law.[16b]

The year 1874 might, therefore, be said to mark the beginning of the decline of stock raising in the valley. From this time on, agriculture began to take root more rapidly and spread throughout the entire valley. In 1875 the Fresno Canal and Irrigation Company had many miles of large canals and over 100 miles of branch ditches and canals in operation, but it got into financial difficulties and was taken over by the Nevada Bank of San Francisco. By 1876 the company's main canal was extended and branches installed, so as to supply the new Central Colony lands of Chapman and Marks, to be discussed later. Canals and ditches were enlarged and extended each year thereafter to the other colonies that were being organized. By 1877 this system was again in Church's possession through his purchase of 4025 of the 5000 shares, valued at $100 each.[17]

Church's company was not the only irrigation enterprise in the county at that time. In 1873, L. A. Gould organized the Kings River and Fresno Canal Company.[18] Starting near Centerville above Church's canal, a new ditch was laid to the Gould farm. The Enterprise Canal was another system operated under the Gould water rights. About two miles below the Fresno Canal and Irrigation Company canals, was the Kingsbury and Centerville Canal, organized in 1877 to divert water from the Kings, two miles above Centerville.[19] Of the 50 shares in the company, 45 were taken by the farmers, who paid for them in labor.[20] Their system carried from 150 to 200 cubic feet of water and irrigated as many as four sections of land.[21]

Although a financial failure, the San Joaquin and Kings River Canal Company should be mentioned. This enterprise was organized in 1871 by several San Francisco capitalists to divert water from the San Joaquin in a northwesterly direction to and across the Miller and Lux domains. Sixty-seven miles of canals and ditches were constructed at a cost of $1,300,000.[22] Although it did not prove to be a success as a source of income, the canal system became of great practical value to Henry Miller for the growing of feed for his cattle.

The year 1877 was one of severe drought. Where water was not available, fields were barren and cattle died in vast numbers. In contrast, the irrigated areas were green with alfalfa, and farm animals did not suffer. The cattlemen, however, had not yet given up their struggle. They sued Church's canal company for taking its supplies from the Kings; and some of them, in defiance of Church, diverted water from that river above the point where his company's canals took off. Using their "riparian rights" to justify their actions, these men threatened to defend them by physical force. On the other side were the "agrarian rights" of the canal owners, who claimed ownership by law for the appropriation of water for irrigating purposes. The riparian rights were based on the common law of England as adopted by the legislature in 1850, and were upheld by the courts often to such an extent as to prevent any diversion of water from rivers, although its use might be shown to be of greater advantage.[23] A law was finally adopted that permitted appropriation of water which had not been previously appropriated for mining, irrigation, and other purposes. One of the advocates of such a law was none other than Moses J. Church, who worked determinedly for it.

Litigation over water rights continued for many years in Fresno County. Disputes could not be settled by force; and when entered in the courts, they dragged along at great expense to the litigants. Church alone defended over 200 suits in 20 years, at a cost greater than the entire expenses for the construction of all his canals.[24] The cases brought into court were far too many to give anything more than a general idea of the categories into which they fell. There were disputes between the canal companies and the projectors of colonies, and between the colonists and colony organizers.[25] Inter-colony difficulties also arose; one, for example, when some of the tracts of the neighboring Washington Irrigated Colony were found to be using water from Central Colony ditches; and any number of times there were controversies over tampering with the main gates of the canals of individuals. Further, there was litigation over water rights between different irrigation companies,[26] such as the controversy between the Fresno Canal and Irrigation Company and the Laguna de Tache Rancho in 1891. The latter comprised some 68,000 acres with water rights to the lower Kings River. Within a month the litigation was terminated by the purchase of the rancho and its water rights by Church's company.[27] The purchase method of settlement was fairly common in these cases.

In spite of the disputes and delays, the pioneer Fresno Canal and Irrigation Company maintained a gradual growth from its beginning in 1871. Each year canals were enlarged and smaller companies and appropriations taken over, until its network of canals formed one of the best and largest irrigation enterprises in the State. By the early 1900's, this company had control of almost all of the canals fed by the upper Kings River, with the exception of those owned by the Alta Irrigation District.[28]

Church remained active as head of the Fresno Canal and Irrigation Company until 1887, when he sold the entire system to Dr. E. B. Perrin and his associates.[29] Over a period of twenty years he had laid the foundations, added to them, fought for them, and developed a priceless enterprise. The transformation of an almost desert land is indeed a worthy monument to Church, who, as the Father of Irrigation in Fresno County,[30] achieved a goal which produced everlasting results. The thanks of the county found expression in the will of F. G. Berry:

> I give, devise, and bequeath to my executors in trust the sum of five hundred dollars; with which such moneys I direct such executors to erect over the grave of my friend M. J. Church a suitable, substantial, square granite monument with the inscription thereon, "from F. G. Berry, a friend who appreciated his worth." I make this bequest for the reason only that I consider of all the men who have wielded an influence for Fresno County, my friend M. J. Church, by the development of the present irrigation system, deserves more than any other this recognition at my hands.[31]

THE ALABAMA SETTLEMENT

A "colony," as used in this paper, was a large tract of land on which every settler owned his lot, and worked and improved it as he saw fit. Binding these settlers together was a common interest to better their own locality. The result was "a system of ideal rural homes and communities, where the science of tillage is carried to its greatest perfection, and where comfort, good taste, and an admirable spirit of helpfulness and neighborliness abound."[32]

The arrival of the Alabamans in 1868 was the first colony venture on the plains of the San Joaquin. Their settlement has not generally been considered a colonizing scheme, although its purpose and features resemble greatly those of the colonies which followed; actually, it was more of a *colony* than some of the others.

The initial impulse of the Alabamans to migrate to California came just after the Civil War. The South was impoverished. Southern gentlemen found their fortunes lost, and many left their homes for other parts of the country. Early in 1868 a group from Alabama and Mississippi chose Judge Samuel A. Holmes, Major C. A. Redding, and L. A. Sledge, three plantation owners, and instructed them to go to California to find new lands for their homes.[33] These three men came to San Francisco by way of the Isthmus of Panama. From San Francisco they proceeded to the government land office in Stockton, where they examined the plat books. They decided to look over the land near Fresno. They were very favorably impressed and returned to the Stockton land office—only to discover that Chapman and Friedlander, the already mentioned speculators, had bought thousands of acres in the county, including all the land that the three southerners had selected. Had the latter purchased it when they first came to Stockton, they would have paid the government's price of $1.25 an acre; but this price was doubled by Chapman and Friedlander.[34] In spite of the increase in cost, the three delegates bought many acres; and they wrote home such glowing descriptions of the region that a number of their correspondents immediately sold what remained of their former estates in order to migrate, late in 1868 and in the spring of 1869, to this promising land of abundance and fortune.[35] Here they started the only settlement for agricultural purposes on the plains south of Mariposa Creek.

The area from Mariposa Creek to Tejon Pass comprised a large rancho used for grazing by a number of cattlemen and sheep raisers who, having no title to the land, naturally opposed the arrival of colonizers. At first the settlers wanted to call their colony Arcola, after the plantation of a Mr. Stridwick, one of the first to arrive; but by common usage it became known as the Alabama Settlement, until, with the coming of the railroad, the station built there was named Borden after a prominent native of North Carolina, Dr. Joseph Borden.

The southerners quickly discovered that their task was to be difficult. Irrigation was then in its first stage and their base of supplies was distant Stockton, whence all goods had to be brought by wagons. A number of the colonists were able to build fairly comfortable homes, but most of them had only small cabins; ". . . some of the unmarried men lived in tents which folded themselves and went away oftentimes in the gales which they had to encounter."[36] For settlers who were unaccustomed to privations and hardships, this new pioneer life must have been difficult in the extreme; nevertheless, they are said to have performed manual labor with a hopeful outlook toward the future, ". . . watching over their meager grain fields night and day to protect them from the depredations of the herds of cattle and wild horses which roamed the plains at will."[37] They practiced the hospitality of the formerly prosperous part of the country from which they came, though on the plains they were living in poverty. That they had not forgotten how to smile is seen in some of the names which they bestowed on their dwellings: one was called "The Cradle of Innocence," and another, "Hell's Half Acre."[38]

More settlers arrived from the South in 1870.[39] Although the rainfall had been deficient during 1869 and 1870, hope remained that this would not continue, but from 1871 to 1875 dry years persisted and many settlers had to surrender their lands for debts. Even with irrigation, which was being developed at this time, the southerners were not able to succeed. They began to leave the settlement in considerable numbers in 1874 and 1875; many went back to the South, while others moved to different parts of California. Thus, the first group-attempt to colonize on the plains of the San Joaquin Valley ended in failure. That it did not succeed was owing chiefly to lack of experience, the excessive dryness of the climate, and the damage done by the roaming herds of cattle and wild animals.

THE CENTRAL CALIFORNIA COLONY

Considered to be the first successful colony of Fresno County, this enterprise of Bernard Marks and W. S. Chapman set an example for the others which followed. Marks had been a miner, a principal of the Lincoln School in San Francisco, and a reclaimer of the Stockton delta lands.[40] When his work in the delta was destroyed by floods, he turned his efforts toward fruit raising. While at a Grange Convention in Stockton, he became acquainted with Professor W. A. Saunders, who was planning to settle on the plains of Fresno County. Marks learned that water rights for the land could be purchased at $5.00 an acre with a tax of $0.62½ per acre annually for no less than 160 acres. The owner was entitled to one cubic foot of water per second for irrigating purposes, but only the holder of 160 acres or more would be able to secure the water rights. This was probably one of the factors responsible for Marks's scheme, namely, to secure title to some of the land, thereby being enabled to secure the water rights; then subdivide and sell individual lots.

He presented his idea to Chapman, who still owned much of the valley land. The two finally reached an agreement by which 21 square miles of the best land in the valley were to be used in their project. Six square miles in the center were selected for a beginning and were divided into 192 20-acre tracts, each being 660 x 1320 feet.

One of the main features of the colony was the 23 miles of tree-lined avenues. East Avenue, so named because it was the most easterly, was ornamented with Languedoc almonds alternated with red gum trees. Nine varieties of cherry trees were planted along Cherry Avenue; cork elms on Elm Avenue; a variety of fruit trees on Fruit Avenue; and West Avenue was to be planted later with eucalyptus trees. Running east and west were North, Central, and South avenues. North was planted with Monterey cypress, and the other two with black California figs.[42] All were young trees of the finest known varieties, and were planted as part of the project, rather than being left to the colonists.

Three main canals, 16 feet wide at the bottom and over 2 feet deep, ran the full length of the colony,[43] and canal gates were constructed so that each settler could turn water into his own ditches as he desired.[44] Excavation was done with heavy machinery made in San Francisco expressly for this colony.[45] The surveying and construction were begun in August of 1875; and, although the first settlers came that year, a large group of laborers and engineers continued working until the winter of 1877.

Another feature to encourage colonizers was the planting of 2-acre vineyards on each 20-acre lot purchased. Marks sent an agent to Spain in order to obtain the best varieties of grapes, and thousands of cuttings were imported.[46] The first season, vineyards were laid out on 119 of the lots, but many plants died from lack of water, since at that early date the canal system was not yet in operation.[47]

Backed by Marks's ideas and plans and Chapman's land and capital, the man chosen to present the colonizing idea to the people was M. Theodore Kearney.[48] Kearney, now advertising agent, had been an accountant for Chapman. He made known the agricultural possibilities of the district; but the people were far more interested in the terms he offered than they were in the actual productive value of the land. A lot of 20 acres could be purchased for $1000 ($100 down and $12.50 a month, until the debt was paid).[49] Another incentive to invest was the fact that no interest was required, even though the payments might be delinquent. In spite of all these so-called advantages, response to this new idea was very slow.

J. W. Sewell, who had been working on Chapman's Chowchilla ranch, was the first to settle in the colony.[50] He purchased a lot in September of 1875 on Chapman's persuasion and without having seen it. Shortly afterward he erected a cabin. Chapman gave him a cow, seed and grain, and loaned him horses and implements. During the winter a few other colonists invested in the new enterprise, planting grain, trees, alfalfa, and vines. Their efforts were discouraged, mostly by the abundance of wild rabbits and other animals and by the lack of water. For a time the future looked far from promising, and Chapman and Marks considered abandoning their scheme and buying out the few settlers. Chapman was in favor of it, but Marks's persistency and pride prevented him from admitting failure. He finally succeeded in persuading Chapman to proceed with the original plan.

By December of 1875 there were 54 persons in the colony.[51] Most of the earliest settlers and a great number of those who came later were Scandinavians. With the construction of the canal system in the spring of the following year, an intensive advertising campaign was launched. Kearney was very influential with his work in San Francisco; and Dixon and Faymonville, his two agents in Fresno, embarked on a campaign which was vigorous enough to lure even the least gullible of speculators or homeseekers. Among the masterpieces in the art of advertising was this:

> Better than city property—A homestead with an income! Persons of sedentary or confining situations may establish a healthful and delightful business, and acquire an elegant and paying homestead in four or five years by a moderate monthly payment in the Central California Colony of Fresno, and need not retire from their present business until the new one has become a paying institution. Twenty acres of raisins are worth $5000

> a year! Twenty acres of prunes are worth $10,000 a year! A small monthly payment will secure a twenty acre tract in the suburbs of Fresno, a rapidly growing town. Only nine hours from San Francisco by rail. The perfection of California climate! No fever and ague! The natural home of the fig, citron, raisin, prune, olive, walnut, orange, and lemon.[52]

The extensive advertising brought results. By August 1877, there were 191 people living in the colony. Thirty-five of the tracts were owned by persons who had not yet settled on their land. Within 3 years after the project had been laid out, the last lot was sold.

Like all pioneers, and especially pioneer irrigators, the settlers in the Central California Colony had to face extremely difficult experiences. But, instead of being discouraged, they demonstrated their ability to work together, as may be seen in the following instance, briefed from accounts in the Fresno *Republican* of October 27, 1877 and December 20, 1879, and from the Fresno *Expositor* of September 1 and November 24, 1880.

The organizer of the colony, Chapman, had drawn up a contract with the Fresno Canal and Irrigation Company which the company, Church, and the colonists said he had not fulfilled. In this contract, Chapman had agreed to pay for 24 acre-feet per second. He was to construct the ditches and be responsible for distributing the canal company's water to the different tracts. Instead, great quantities ran to waste or collected in large ponds. The canal company on its part claimed that Chapman had not paid the stipulated amount for the water. Chapman denied this and took the case to court. The settlers, indignant because they had purchased lots to which water rights were supposed to be attached, held an irrigation convention in an attempt to protect their rights and secure legislation governing water distribution.

As the dispute dragged on with no settlement in sight, the colonists took matters into their own hands; but, as one news item read, "Chapman enjoined the colonists from interfering with the water, and the canal company from turning it off. So the water must continue to run where it pleases until the Lord, the Devil, or W. S. Chapman sees fit to interfere."

Chapman suggested that the colonists come to terms individually with the irrigation company. The company's demands, however, far exceeded the original price the settlers had agreed to pay. M. Theodore Kearney, at one of the colony's meetings, suggested that the colonists disregard Chapman's personal disagreement with the company and—since they had paid neither Chapman nor the company for the water already received—that they come to an understanding with the company, pay in a body, and then demand their water rights. As the original contracts provided for the payment of $6.25 a year for water rights to each 20-acre tract, the amount due from each landowner for the period of 2½ years was $31.25, or $6000 from all the 192 tracts. If they did not then receive their water rights, Kearney advised them to bring suit against the company for failing to fulfill the contracts. It remained for Chapman, who claimed to have paid the annual water tax already, to sue the company if he wished. In the meantime the irrigation company would have to supply the colony with water. At first, only 96 owners of colony lots, acting in a body, paid the canal company. In time they were joined by the others. Considerable haranguing took place in court before the decision was finally given in Church's favor, it being proved that Chapman had not lived up to his agreement with the canal company.

The problem of water rights came up frequently. In 1880, when the canal company threatened to turn off the water, the settlers secured an injunction preventing it. When the injunction was raised, the water was turned off, leaving the Central Colony in a precarious state. The company refused to supply water until the ditches on the colony were properly constructed, and it was not until the colonists took measures to do this that water once more flowed through the canals.

Accompanying the physical difficulties were the discouraging predictions made by some of the older residents of the county. Foremost among them were the cattlemen and sheepmen.[53] At intervals they visited the colonists, to enlighten them as to the possibilities of disappointment in the future. Typical of many tales was the following:

> The climate was the worst in the world. They had often seen the thermometer 130° in the shade. Birds dropped down dead from the heat of the sun. Fruit, if it grew, always baked on the tree before it ripened. Vegetables would not grow, even if irrigated; they either rotted in the water or dried up in the sun. It was impossible to make butter except in a few winter months. Potatoes as a crop had failed always, and what few were raised rotted at once on being dug. Neither trees nor vines could be planted safely, as the rabbit-proof fences were no protection, for they burrowed under.
>
> Chickens never did well on the plains and could not be profitably raised. The sand storms, hot winds, and whirlwinds made it impossible for families to live there with any kind of comfort. Forty instances were related wherein fever and ague followed the introduction of water for irrigation. And the large-hearted, sympathetic sheepmen generally wound up with the advice, impressively urged, to get away before the last dollar was spent for grub.[54]

A few of the prominent residents took an active interest in the colony and this did much toward promoting its success: S. A. Miller, editor of the *Republican;* J. W. Ferguson, editor of the *Expositor;* Dr. Lewis Leach, capitalist and physician; William Faymonville, capitalist; and several others. One account attributes the success of the Central California Colony to the fact that the land was owned by W. S. Chapman, who at that time had more property than any other man in the state, and that "he made better use of it than land men generally make."[55] However, credit is also due to Marks, the founder of the colony, for his efforts to make the enterprise a success, in spite of unforeseeable difficulties. And nearby were the thriving farms of Easterby and Eisen to bolster the morale of the colonists.

Some of the crops were purely experimental, the farmer at the outset knowing little of the adaptability of his soil. Fields of alfalfa were grown on every tract, some of the finest in the state being raised by the first settlers.[56] Most of the colonists had chickens, cows, and pigs, and were able to make a living while waiting for their fruit trees and vines to produce. The following describes the experience of Sewell, 2 years after his arrival. ". . . Five acres of alfalfa had kept two horses, three cows, and their calves, several pigs, and several dozen chickens, besides the many crops sold for hay. His receipts for butter and eggs alone amounted to 50 dollars a month, and the total receipts from the twenty acre farm for one season will very nearly amount to enough to pay the purchase price of the same."[57]

In the late summer of 1877 some of the first grapes, peaches, and figs were beginning to bear. With few exceptions, lots were given over to vineyards and orchards, and fruit became the main produce of the colony. Cooperative buying was provided through the Central California Association, and the Raisina Grange[58] came into being for the welfare of the members. For social functions and meetings, Granger Hall, a 2-story wooden structure, was built. It served likewise as a schoolhouse for the Orange Center School, which opened there in January of 1877 with 16 pupils.[59] Not until 3 years later were the colonists able to build a schoolhouse on land which had been donated by Marks and Chapman for that purpose.[60]

The Histrionic and Literary Society was formed and convened monthly, presenting plays for the enjoyment of the people in and about the colony. Religious services were first held in some of the homes; then, after its completion, in Granger Hall.[61] Gradually, with the increase in population, a few small business concerns were established—a lumber yard, a blacksmith and wagon shop, a doctor's home office, and a nursery.[62]

During the dry years of 1876 and 1877, much suffering and destruction occurred outside the Central Colony. Flocks of sheep came down to the plains seeking vegetation, and ruined the fields over which they passed. Both cattle and sheep perished by the thousands. In some places men killed the starving animals for their hides. Sheep were sold for 25 cents a head, whereas they had formerly brought $2 and $3. A Fresno paper carried the following item: "We see immense plains barren of vegetation in early spring, stocks starving to death, and farms sown with wheat with not enough growing on them to feed the horses used to put in the grain . . . the absolute necessity of irrigation in this valley is becoming apparent to the oldest inhabitants."[63] In May of 1877, this paper, describing the high temperature, said that "the eyes soon tired of gazing out on the crisped plain where the heat waves wimpled and quivered like a wounded serpent."[63a]

Some days later appeared the following: "The contrast between the Colony lands, now watered, and the similar lands adjoining is marvelous. The plains are almost as barren of vegetation as a road; the alfalfa on some tracts in the colony is a dense mass of two feet high, ready to yield a crop every five weeks during the summer."[64] Thus the Central Colony stood out among the surrounding dry lands.

The soil of this country, when irrigated, was found to be especially adapted to viticulture. Francis T. Eisen was the first to make this discovery in 1873 when, in the face of the ravages of grasshoppers, red spiders and grape moths, he increased his vineyard and introduced 300 varieties of grapes from different parts of the world. Eisen was also the first raisin grower. In the beginning, the vines were planted for wine grapes with no attention being given to raisins, which as an industry developed more slowly. The first raisins of Central Colony were those of Miss M. F. Austin. Born in Massachusetts, she prepared to be a teacher, taught in Chicago, and later came to

San Francisco.[65] During the beginnings of the colonizing plan in Fresno County, she, with three other teachers, Miss L. H. Hatch, Miss E. A. Cleveland, and Miss J. B. Short, all of San Francisco, organized a company and bought 100 acres of colony land on Elm Avenue. Management of the tract was left to Miss Austin,* who came to the colony in August of 1878. She added to the original vineyard planted by the organizers, but it was from the original 2-acre plot in vines that she produced her first raisins in 1878. Thirty boxes were put up as the Austin Brand, which later became known as superior raisins. She was joined by Miss Hatch in 1879, and during that year they put up 300 boxes. The year following, 7500 boxes of the Austin Brand were put on the market. Because of Miss Austin's failing health, this was the last of the packing done on her company's farm. Thereafter, the raisins were sent to other packers. The 74 acres of vines became popularly known as the Hedgerow Vineyard, the name being derived from a hedge of pomegranate, osage, cypress, and other trees which completely surrounded the vineyard.[66] In addition to the vineyard, this tract boasted of 19 acres of fruit trees, including pears, apricots, peaches, prunes, and nectarines; and like the other settlements, the usual acreage of alfalfa.

Another pioneer of the colony was T. C. White, also a native of New England. Coming to Fresno County in April of 1877, he purchased a 20-acre tract on Cherry Avenue. A short time afterward, he bought an interest in one owned by his sister-in-law, Mrs. Julia A. Fink Smith. This 80-acre ranch became famous as the Raisina Vineyard. Starting with a few acres of raisin grapes, the two built up a large packing industry. White later increased his holdings still further by purchasing a number of other lots. He also took an active part in movements instigated to improve conditions for the settlers. Of these his most important work was with the Central Colony Water Company, of which he was elected president. He was prominent likewise as a director of the First National Bank of Fresno.[67]

From the start made by Eisen, followed by the enterprise of Miss Austin and the other colonists, raisin growing took root in the colonies founded later. All of the irrigated districts soon were converted into vineyards. Whether many of the people realized at first a profit from the raisins is a subject open to controversy. Published statements made by the colonists

*Miss Austin's success as a woman operator in the grape industry was duplicated some 10 years later by Minna Eshleman Sherman who bought 640 acres of the poorly developed Henrietta Rancho, 5 miles east of Fresno, and converted them into the site for one of the most thriving and varied businesses in the area. By pruning the Emperor table grape 4 feet high instead of close to the ground as for wine grapes, she was able to place on the market an extra fancy quality and pack that made her vineyard, the Minnewawa, famous. Mrs. Sherman furnished half a carload the year the first 2 cars of table grapes were shipped out of California. For her other exploits in olive culture, livestock raising, etc., *see* "A Daughter of the Vine," *Sunset Magazine*, XXX (January 1913), 95-98. Mrs. Sherman also served as a regent of the University of California.

show their profits ranged anywhere from $70 to $250 per acre a year. Following are comments taken from some of the testimony obtained by the Fresno County Board of Trade in 1887, some 10 years after the inauguration of the colonizing project.

From Mrs. S. H. Toft on Fig Avenue: "I purchased this place immediately on my arrival from Denmark. I have five acres of raisin grapes bearing, and the crop amounted this year to $1000, or $200 an acre. The reason I have not more raisin grapes is because we came here with a small capital and had to plant alfalfa so as to get an immediate return." Samuel Hartley said: "My raisin vines of nine acres brought me $1100 this year, or $122 an acre." And from Mrs. James Hansen: "We have twenty-three acres of vines, part wine and part raisin. From these we realized last year $150 an acre."[68]

There are many similar statements, made when most of the vineyards were 4 or more years old.[69] Many of the larger vineyards had their own packing houses, but the smaller ones sent their raisins to packing companies, such as the A. B. Butler, American Raisin Company, and Meade and Company.

In contrast with the above are reports of some individuals who said people were fortunate if they made $500 a year. If there were substantial profits, it is evident that they were made by those who had spent some time cultivating their vineyards, or who had bought a developed tract several years after the colony started. The pioneers of viticulture expended great efforts toward its development, but they did not all realize the profits which came later. By 1886 the raisin was recognized as the principal industry of the county.

Thus, the Central California Colony irrigators proved that the industry of raisin growing on a large scale was practical. Moreover, the Central Colony was an example to other colonies. "The projectors of the Central California Colony are looked upon as the redeemers of the valley, by all save a few who drove their mustang cattle where now stands the tree and the vine, and day by day the march of improvements is extended."[70]

THE WASHINGTON IRRIGATED COLONY

With the success of the Central California Colony, the first step had been made toward a series of other such colonizing ventures. Each successive colony learned from the mistakes of its predecessors. Successes or failures did not depend alone on the colonists but partly on the managers of such undertakings. In some instances the manager of a colony was an instigator of new ideas and experiments or even an advisor and counselor; while in other cases, he was interested principally in selling the lots, collecting the money, and doing only what he thought necessary.

The Washington Irrigated Colony was organized in March 1878, some three years after its predecessor, the Central California Colony. It likewise had its Marks and Chapman in the persons of Wendell Easton and his associates, J. P. Whitney and A. T. Covell. In 1878, Easton, known as the organizer of the Pacific Coast Land Bureau, purchased 3200 acres (5 sections), and Whitney acquired 4480 acres (7 sections) in Fresno County, 8 miles south of Fresno and adjacent to the Central Colony.[71]

The original plan was launched on the 5 sections which Easton had purchased; later it was enlarged to include the land owned by Whitney, thus raising the entire colony tract to 7680 acres. At the outset Easton was proprietor and general manager, and Covell was resident manager and superintendent.

Expecting to reap a fortune from their investment, these organizers spent almost $25,000 for general expenses and advertising, without selling an acre. Easton attributed this to the fact that "things were very dull at that time and you could have bought the whole country around Fresno for four dollars an acre."[72] Disappointed but not discouraged, Easton sent men abroad to advertise his lands; one went to Germany and Sweden, another to Australia. Other agents were sent to towns and communities in California. Finally, as a last measure to promote his colony, Easton rented Charter Oak Hall on Market Street in San Francisco for the purpose of presenting to the public the benefits and advantages to be derived from his Fresno lands.[73] According to Easton he picked an auspicious time, as interest in Fresno County was increasing because of the success of the Central California Colony. He advertised the meeting expansively and arranged to have reporters present; but although well attended it failed in attaining its purpose. The first excursion to Fresno brought out only 5 people, 3 of whom bought 20 acres each at $35 an acre; nonetheless, this permitted Easton to announce at the second meeting that the first excursion had been quite successful, since 60% of those making the trip bought colony lots.

The second journey was a great success, with approximately 500 making the trip—more, in fact, than could be accommodated. In addition to the hotels in Fresno, Easton had to rent private homes for his overnight excursionists. Every carriage, horse, wagon, or other means of conveyance available was hired to take the travelers to the colony site. However, he was well repaid, as he disposed of 385 farms, exhausting the 3200 acres he had placed on sale.[74] Advertising alone for the two excursions had cost him $5,000; but after paying Whitney for his 3800 acres, plus 2% compound interest a month, he still realized a profit of $145,000 in this, his first attempt at country real estate.[75]

Thus the Washington Colony project made a vigorous start and forged rapidly ahead. In Easton's words, "It was the beginning of Fresno, and the town has had one continual boom ever since."[76] The tracts bought here were larger than those in Central Colony. Three-fourths of a section (480 acres) were sold in 20-acre lots; the remaining sections were purchased in 80-acre tracts or in quarter sections (160 acres).[77] Water rights were purchased from the Fresno Canal Company, and permanent title to the water was given with the land. Each tract had its irrigation ditches and headgate, and full control of the canals was given to the colonists, a committee appointed by them managing the distribution of the water.[78]

Of special interest was the plan for a town, embracing 160 acres. This was laid out in blocks 360 feet square. Running through the center of each block was a road 30 feet wide. Two blocks were reserved for public squares: one for a school which was built in 1880, the other for a town hall. The remaining land was used as an inducement to persons buying colony land: that is, with every 20-acre tract, the purchaser received a town lot.[79] Soon well-built homes were being erected, some more pretentious than others. One settler imported $8000 worth of Japanese persimmons, camelia japonicas, and other varieties of trees and Japanese shrubs when he first came to settle.[80] Those who were ready to occupy their land immediately, were the first to reap the benefits. Through Easton's efforts a cheese factory was established in the colony which was run by settlers of both Washington and Central colonies as a cooperative enterprise. The farmers paid 2 cents per pound to have their milk converted into cheese, and an elected group of men supervised the sales.[81] This factory was a great success, the surplus milk of the two colonies soon supplying cheese to the public. All products not used for local consumption were sent to San Francisco and other cities.[82]

Washington Colony boasted of settlers from the eastern states, from England, Scotland, Denmark, Sweden, and, more locally, from San Francisco. A great number became permanent residents. Winchell gives his explanation for the rapid development of the colony in the following statement: "Profiting by the hard experiences and victorious efforts of their neighboring pioneer settlers, the Washington Colony adventurers were spared many of the trials and slow development attached to the early farmsteads; and all of this colony was more easily improved by thrifty farmers."[83] Community life grew from the more simple association of school and home to the amateur dramatic club and the town's brass band. Presentations by the club were considered to be such good entertainment that many came from Fresno to see them. A literary society, with its discussions and essays, became a part of the social life, and an industrial association was organized to discuss mutual interests.

In 1880, Judge J. W. North settled in the colony and took the position formerly held by Easton.[84] The latter was superintendent for a while, succeeding Covell, but later turned the position over to Walter Whitney. In 1882, G. G. Briggs of Yolo County, a well-known fruit grower, bought the remaining unsold land[85] and settled in the colony. He made great improvements, fencing in 100 acres, setting out huge vineyards, and constructing several buildings. There were innumerable persons instrumental in contributing to the wealth of the colony—too many to mention here. That the Washington was one of the most successful colonies in the region can be attributed in part to the time at which plans for its establishment were drawn up; in part, too, to the zeal of Easton, and in no small measure to the character of the settlers.

EARLY COLONIES NORTHEAST OF FRESNO

The Nevada, Church Temperance, and Scandinavian colonies were identified with one another because of their location in respect to the foregoing colonies and because they were organized simultaneously. They all lay northeast of the town of Fresno, the Nevada being centered roughly between the Church Temperance on the east and the Scandinavian on the northwest.

The Nevada Colony

Although smaller than the other colonies, the Nevada* was similar in every respect. The founder was S. A. Miller, who, as editor of the Fresno *Republican*, had been a prominent figure in encouraging Central Colony settlers. He was well known to the miners and mine owners of the Comstock region, as he had once resided in Virginia City, Nevada, and it was on his advice that many of these people came to the valley.[86]

Miller purchased from M. J. Church and Frederick Roeding 1920 acres east of Fresno and adjacent to the Eisen Vineyard. All the necessary surveying and engineering were done in a short time, and once on the market the land sold rapidly. Terms for the 20-acre lots, priced at $750, were very desirable—$100 as a down payment and thereafter monthly payments of $20.[87] Many persons at work in the Comstock Lode bought lots and rented them to those who agreed to settle immediately and cultivate their land.[88] Contrary to the original plans, only 480 acres were sold in 20-acre lots, the remaining 1440 acres being disposed of as 80-acre and 160-acre tracts.[89] Many persons who bought these larger tracts erected beautiful homes and made extensive improvements on the grounds, as did M. J. Donahoo who bought the first lot.

Among the prominent settlers on this colony were Joseph T. Goodman, Benjamin R. Woodworth, and William Forsythe. Goodman was a journalist of some repute, "famous on the Pacific Coast as the forceful and scholarly editor of the Virginia City *Enterprise;* a recognized literary writer, and the decipherer of the Mayan hieroglyphics."[90] Woodworth cultivated his 160-acre tract and planted both raisin and wine grapes. Because of its palm-lined

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*One of the earliest vineyards in the Fresno area formed part of the northern boundary of the Nevada Colony. The land was purchased in 1868 by George H. Eggers, a native of Hanover in Germany, but was not occupied by him and his son, Herman, until some 5 years later. They added to their original holding until they had a vineyard of 800 acres, equipped with a wine cellar and distillery. (*George H. Eggers and Company*, MS in Bancroft Library.)

avenues, trees, and shrubs, it became known as Las Palmas Vineyard.[91] Forsythe's vineyard was the same size as Las Palmas, and when planted to raisin grapes it soon developed into a profitable industry for its owner.[92] The third of the larger vineyards in this colony was the Anita, with 160 acres of Muscat and Sultana grapes, the property of the Pacific Agricultural and Colonization Company.[93]

About a year after the establishment of the colony, Church and Roeding donated a large tract with water rights to the colonists, with the provision that they construct a fruit dryer.[94] It was built of brick, but after being used for a few years was abandoned. By other generous acts these two men tried to stimulate an interest in the growing of fruit, in a region where vineyards were predominant. As a whole it became a prosperous community. Although called the Nevada Colony, it was not restricted to settlers from that state. Its somewhat isolated position with respect to the other colonies was shortly relieved by the founding of the Church Temperance Colony.

(To be continued)

NOTES

1. M. J. Church, *Irrigation,* MS in Bancroft Library.

2. *Loc. cit.*

3. H. H. Bancroft, *Chronicles of the Builders of the Commonwealth* (San Francisco: History Co., 1892), III, 231.

3*a*. According to an historical sketch of Fresno County in *Fresno County Directory for 1881* (compiled and printed by the Fresno *Republican*), p. 147, ". . . growing crops were fed off in a single night by herds of wild cattle, driven upon the green fields by men who openly vowed that the 'sand lappers,' as they styled the farmers, must not and should not remain."

4. Wallace W. Elliott, *History of Fresno County, California* (San Francisco: W. W. Elliott, 1882), p. 102.

5. *Loc. cit.*

6. *Loc. cit.*

7. Lilbourne A. Winchell, *History of Fresno County and the San Joaquin Valley* (Fresno: A. W. Cawston, 1933), p. 106.

8. *Loc. cit.*

9. Paul E. Vandor, *History of Fresno County, California, with Biographical Sketches* (Los Angeles: Historic Record Co., 1919), I, 181.

10. *Loc. cit.* Approximately $7000 was paid, plus the granting of six water rights.

11. Church, *op. cit.*

12. *Ibid.*

13. Frank Adams, "Irrigation in California," *in* Calif. Dept. of Public Works, *Bulletin* 21 (Sacramento: State Printing Office, 1929), p. 204.

14. Elliott, *op. cit.*, p. 102.

15. *Loc. cit.*

16. Church, *op. cit.*

16*a*. Frand Sands in *A Pastoral Prince, History and Reminiscences of J. W. Cooper* (Santa Barbara, 1893, pp. 156-58) makes particularly plain the disadvantage in which sheepmen, such as Col. W. W. Hollister of Santa Barbara, were placed in their conflict with the cattlemen; also the disadvantage of ranchmen against *landless* cattlemen.

For a discussion of the cattleman's as well as the farmer's grievances in regard to the expense of fence construction in an arid climate, *see* Robert Glass Cleland, *The Cattle* *on a Thousand Hills, Southern California, 1850–70* (San Marino: The Huntington Library, 1941), pp. 84-87.

16*b*. *An Act to protect agriculture and to prevent the trespassing of animals upon private property in the counties of Fresno, Tulare, Kern, Ventura, Santa Barbara, San Luis Obispo, and Monterey.* [Approved February 4, 1874.] (*Statutes of California*, 1873–74, Chap. LIV, p. 50 *ff*. The law provides that an occupant of agricultural land ". . . whether such land or claim be inclosed or not . . ." may take up and safely keep trespassing animals at the expense of the owner, and certain sums are specified as allowance for the keep of such animals. "The action shall be in favor of the owner or owners, or occupants of said lands or possessory claims and against the property *in rem*."

17. Fresno *Republican*, October 13, 1877.

18. Winchell, *op. cit.*, p. 109.

19. *Republican*, April 4, 1877.

20. *Ibid.*, July 21, 1877.

21. *Loc. cit.*

22. *Memorial and Biographical History of the Counties of Fresno, Tulare, and Kern, California* (Chicago: Lewis Pub. Co., 1891), p. 76.

23. "Report of Irrigation Investigations in California," *Bulletin* 100, U. S. Dept. of Agriculture, Office of the Experiment Station (Washington: Govt. Printing Office, 1934), p. 273.

24. Church, *op. cit.*

25. See, for example, the controversy between Chapman (organizer of the Central California Colony), the Fresno Canal and Irrigation Company, and the colonists, in section headed "Central California Colony."

26. Adams, *op. cit.*, p. 204.

27. Thomas H. Thompson, *Official Historical Atlas of Fresno County* (Tulare: Thompson, 1891), p. 12.

28. This company was organized in 1888, taking over the 76 Land and Water Company and forming an irrigation district within the counties of Fresno, Tulare, and Kings.

29. Church, *op. cit.*

30. Vandor, *op. cit.*, I, 170.

31. *Ibid.*, p. 179.

32. Souvenir of the Fresno Republican, *Imperial Fresno* (Fresno: Republican Printing Co., 1897), p. 9.

33. Winchell, *op. cit.*, p. 89.

34. *Loc. cit.*

35. Elliott, *op. cit.*, p. 118.

36. *Ibid.*, p. 119.

37. *Loc. cit.*

38. *Loc. cit.*

39. *Expositor*, June 1, 1870.

40. Elliott, *op. cit.*, p. 112.

41. *Loc. cit.*

42. *Loc. cit.*

43. *Expositor*, December 15, 1875.

44. Elliott, *op. cit.*, p. 112.

45. *Expositor*, August 25, 1875.

46. Winchell, *op. cit.*, p. 135.

47. Elliott, *op. cit.*, p. 112.

48. *Expositor*, November 29, 1876.

49. *Republican*, August 11, 1877.

50. Winchell, *op. cit.*, p. 136.
51. *Expositor*, December 8, 1875.
52. Winchell, *op. cit.*, p. 136.
53. Elliott, *op. cit.*, p. 113.
54. *Loc. cit.*
55. *Loc. cit.*
56. *Republican*, April 7, 1877.
57. *Ibid.*, December 1, 1877.
58. *Expositor*, October 4, 1876.
59. *Ibid.*, January 24, 1877.
60. *Ibid.*, December 8, 1880.
61. *Ibid.*, March 8, 1876.
62. *Republican*, October 27, 1877.
63. *Ibid.*, March 17, 1877.
63*a*. *Ibid.*, May 26, 1877.
64. *Ibid.*, March 31, 1877.
65. *Memorial and Biographical History* . . . p. 472.
66. Thompson, *op. cit.*, p. 12.
67. *Memorial and Biographical History* . . . p. 619.
68. M. Theodore Kearney, *Fresno County, California, and the Evolution of the Fruit Vale Estate* (Fresno, 1904), p. 28.
69. Elliott, *op. cit.*, p. 211. Four-year vines averaged a yield of 30 pounds each and "the vines four years old on Eisen's vineyard, were estimated to produce in 1878, 35 pounds per vine for the entire one hundred and ten acres."
70. *Republican*, May 26, 1877.
71. Wendell Easton, *Pacific Coast Land Bureau*, MS in the Bancroft Library.
72-76. *Loc. cit.*
77. Vandor, *op. cit.*, I, 263.
78. *Expositor*, December 8, 1880.
79. *Republican*, March 2, 1878.
80. *Ibid.*, March 23, 1878.
81. *Expositor*, March 17, 1880.
82. *Ibid.*, March 12, 1880.
83. Winchell, *op. cit.*, p. 137.
84. Judge North was indirectly responsible for the naming of the town of Oleander.
85. Elliott, *op. cit.*, p. 115.
86. *Loc. cit.*
87. *Expositor*, January 1, 1879.
88. *Ibid.*, January 22, 1879.
89. Winchell, *op. cit.*, p. 137.
90. *Ibid.*, p. 138.
91. Mrs. W. P. Miller, *personal interview*, March 25, 1942.
92. *Loc. cit.*
93. Fresno Chamber of Commerce, *Fresno City and County* (Fresno: Trade and Immigration Company, 1896), p. 72.
94. Elliott, *op. cit.*, p. 115.

The Charleston: an Industrial Milestone

By Ruth Teiser

ON November 25, 1886, news that the Union Iron Works had made the lowest bid on the contract to build the Navy's Cruiser No. 2 reached San Francisco.[1] It was significant news, for it heralded the coming of age of California shipbuilding, and thus gave impetus to the rest of the state's heavy industry.

Cruiser No. 2 was the *Charleston,* the first Navy ship of that name, and, more important, the first modern man-of-war to be built on the Pacific Coast. Although it was a small ship by present-day standards, its construction started San Francisco's shipbuilding on its rise from a $700,000-a-year business in 1885–86 to a more than $3,500,000-a-year business at the beginning of the next decade.[2]

The Charleston and the "New Navy"

The *Charleston* was one of the first successful ships of our modern Navy —the so-called "New Navy" with which the United States regained the sea supremacy that had slipped away after the Civil War. A review of the national attitudes and activities which fostered this New Navy is included here because it is part of the *Charleston's* story.

As late as 1887, Admiral David D. Porter could complain to Congress:

> The condition of our navy as regards its ships of war is so discreditable to the nation that I think any American who goes abroad and sees the powerful navies that have been built up by European powers would hang his head with shame, for there is not a nation on earth having any naval pretentions that could not wage war upon our coasts with perfect impunity . . . In fact I cannot mention a single nation professing to be a naval power that could not humiliate us tomorrow if so disposed.[3]

His sketch of the background of the situation is succinct and vivid:

> The result of our civil war was to set all the nations of the earth to building heavy ironclads and fast cruisers, so that foreign workshops have been filled to overflowing with laboring men building ships of war and making thousands of the heaviest kind of rifled guns, while we have been content to patch our ancient wooden ships and send them abroad with their old cast-iron guns, a laughing-stock for the nations of the earth.[4]

The financial straits of the nation following the Civil War had, of course, in part accounted for this neglect; but graft, ignorance, apathy, and stupidity had implemented the decline.[5] Richard W. Thompson, who was Secretary of the Navy through all but two months of the Hayes administration, from 1877 to 1881, was rumored to have exclaimed upon being shown a ship, "Why, the durned thing's hollow!"[6]

By the time President Arthur's administration got under way, however, conditions were improving. The nation had so far recovered from the long depression of the 1870's that the treasury showed a sizable surplus. Progressive reformers were at work in the Navy Department. The public, finally awakened to the nation's possible peril, was clamoring for coast defences and for an adequate modern naval force. Congress, some members of which had been interested in the problem but powerless to do anything about it, was now united under Republican leadership and in a position to take action on naval reconstruction. There was sentiment in favor of building up home industry, and this played in with the Navy Department's desire to make the United States self-sufficient in the matter of shipbuilding and armament production. The need for self-sufficiency had not been much stressed at that time, for England was then shipbuilder to the world's mightiest navies, and Germany their armament-maker.

In 1883, a writer in the *Overland Monthly* echoed both public and Congressional majority opinion when he stated:

> The United States needs a better navy, or at least should be possessed of independent means of creating, on short notice, a more efficient navy. The cheapest and most natural way to accomplish this is to encourage private capital to build large shipyards, and enter into the business of shipbuilding. In this way, skillful workmen will be trained, ingenuity encouraged, vessels built that may themselves in time of war be available to the navy, means made ready at hand for the building of regular war vessels when necessary, and finally a body of American seamen brought up fit to man our war vessels should emergency come.[7]

Sentiment in favor of encouraging private capital was given impetus by the fact that the government's own navy yards were rendered so inefficient by political corruption and physical decay as to be unfit for major jobs.[8] The Mare Island Navy Yard, for instance, was not unique in having rundown shop equipment, an antiquated plant, and quagmired roads. In March of 1887 a San Francisco newspaper article, advocating its rehabilitation, admitted that "an outlay of, say, $10,000,000 in improvements, tools, machinery, etc.," would be needed—the pork-barrel aspect of the matter being carefully ignored.[9]

The new Congress first set about putting a stop to the practice of patching up the outdated ships of the old Navy. Then, on March 3, 1883, it passed the act authorizing the construction of the first four ships of the New Navy. They were the *Atlanta,* the *Boston,* the *Chicago,* and the *Dolphin*—the first American war ships to be built of steel. Contracts for all four were let to a private builder, John Roach of Chester, Pennsylvania, who became bankrupt while constructing them and had to turn them over to the Navy Department for completion. All were built according to plans originating in the Naval Advisory Board. They were not very good ships, but, as Secretary of the Navy William C. Whitney wrote later, "They constituted the first attempt of the Navy Department for many years to construct a war vessel up to the modern requirements. They should be looked upon and judged as such."[10]

In spite of the difficulty with the first order for the New Navy (and a shift in the party in power), Congress was still in a mood to continue naval shipbuilding in 1885. It was even still favorable toward private builders, although at the same time opinion was growing that something should be done about the navy yards. At any rate, the naval appropriation bill of March 3, 1885, carried an order for private contracts to be let for the construction of two steel gunboats and two steel cruisers. The gunboats were the *Petrel* and the *Yorktown.* The cruisers were the *Newark* and the *Charleston,* the latter destined to be built by San Francisco's pioneer foundry.

The Union Iron Works

The *Charleston* was not the first warship that San Francisco's Union Iron Works had had a hand in building. Of the four that had previously been constructed on the West Coast, this organization had worked on two. The company dated back to 1849, when Peter and James Donahue, the one a machinist and the other a boiler-maker, had met in San Francisco and invested their joint $500 capital in establishing a blacksmith and machine shop.[11] In an adobe hut on the northwest corner of Jackson and Montgomery streets, with a pair of hand-operated bellows and a charcoal forge as equipment, they had laid the foundation for one of the city's major industrial organizations.[12]

Late spring of the following year saw the Donahues in need of larger quarters and moving to Happy Valley, the city's growing industrial section. There, on the northeast corner of First and Mission streets, they constructed a better plant: "a small building, containing a blacksmith's forge, a small lathe driven by hand power, and a little cupola, in which the iron for making castings was melted, with the aid of a common smith's bellows."[13] Here the two brothers were joined by a third, Michael, a moulder, and business continued to increase. Additions were made to the plant from time to time, and in 1856 the whole gave way to three brick buildings—a foundry, a boiler shop, and a finishing shop—together with a less substantial small building that was used as an office.[14] By 1859, when the Union Iron Works finished building the machinery for what might be called the Pacific Coast's first "Old Navy" battleship, the *Saginaw,*[15] James and Michael Donahue had withdrawn from active participation in the business, leaving Peter proprietor of more than $150,000 worth of equipment.[16]

The *Saginaw* was a side-wheel steamer of 453 tons and an average speed of "over eight knots."[17] Its laurel-wood hull, built at the Mare Island Navy Yard, rotted within two years after its launching and had to be rebuilt; but Peter Donahue's $80,000 worth of machinery was sound to begin with and held up well.[18]

Second of the Pacific Coast's warships was the monitor *Camanche.* Its parts were actually manufactured in the East, but since they were sent to San Francisco to be assembled by workmen of the Union Iron Works, the ship can be claimed as at least partially a western product. These parts were shipped around the Horn in the *Aquila*, which, however, sank to the bottom of the bay shortly after reaching the San Francisco harbor.[19] Months passed before the salvagers recovered the monitor's parts so that the shipbuilders could put them together. The *Camanche* was finally launched on November 14, 1864, only to spend the next thirty-five years tied up at a Mare Island Navy Yard wharf. In 1899 it was sold to an Oakland firm and reputedly spent its remaining years in the lowly but useful role of a barge.

The other war vessels built on the Pacific Coast prior to the *Charleston* were the Mare Island-built *Mohican* (second of that name), started in 1872 and not completed until the end of the century; and the *Monadnock* (second also of that name), started in 1874 by a Vallejo shipbuilder but also not completed until the end of the century by the Mare Island Navy Yard.[20]

When the Pacific Coast put in its bid for constructing the *Charleston,* it could cite no history of great success in building ships of war. It remained for Irving M. Scott to make such history.

Irving Murray Scott

Irving M. Scott came to the Union Iron Works in 1860 as a draftsman. Although his position was at first subordinate, the history of the organization from 1860 onward can best be written in terms of his activities.[21]

Peter Donahue had hired Scott the year before in Baltimore, where the twenty-two-year-old mechanic and draftsman had helped design and superintend the building of a fire engine that Donahue was purchasing. When Scott arrived in San Francisco, he found the Union Iron Works somewhat run-down, and its reputation declining. Peter Donahue preferred initiating enterprises to running them, and by 1860 interests other than his iron works occupied his attention. In the winter of 1861 he was attending the State Legislature in an attempt to secure a street railway franchise when the Union Iron Works foreman left suddenly. Young Scott took over his duties temporarily and acquitted himself so well that he was given the position. Combatting the deterioration that had taken place, he set about injecting order, discipline, and dispatch into the plant. Having accomplished that, he turned and scanned the contemporary scene to find if he and the organization were in tune with the times.

Throughout his life, Scott watched trends, analyzed them, and laid his plans according to what he thought was going to happen next. Perhaps his ability to discern the early beginnings of movements and his determination to follow the ones he considered sound were the keys to his success. At any rate, in 1862, having arrived at a position of responsibility that might well have satisfied him, he nevertheless took a look around and decided for himself that the Comstock Lode was to be the largest source of local revenue for many years and that he, as a mechanic, had best turn to mining machinery.

At that time the Union Iron Works was mainly occupied with steamboat repairs and gas company equipment; the Miners' Foundry, on First Street, between Howard and Folsom, monopolized the San Francisco mining equipment market. So Scott left the Union Iron Works and for fifteen months worked as superintendent of the drafting department at the Miners' Foundry.

In 1863 Peter Donahue sold two-thirds interest in the Union Iron Works to Henry J. Booth and Charles S. Higgins, and immediately after this new partnership had been arranged, Scott was called back to be superintendent. Under his leadership the organization became, finally, the major mining machinery company in the United States. After the Comstock bonanza was over, it was estimated that the Union Iron Works had built well over 90 per cent of all the machinery that had been used in the Nevada mines.

In 1865, the year the iron works completed the first heavy locomotive built in California, Peter Donahue sold his remaining interest in the firm, and Higgins also sold his share. Into partnership with Booth then went George W. Prescott and Scott himself, who thereupon became general manager of the works. Ten years later, upon Booth's retirement, Henry T. Scott, Irving's brother, became a partner.

When the Comstock boom ended, the Union Iron Works once more slumped. The building of locomotives and railroad equipment had flourished but briefly. Almost the only constant source of income that remained was the construction and repair of marine machinery and boilers. Again Scott took stock, looked ahead, and made a new plan.

Years later when Hubert Howe Bancroft's interviewer asked Scott how he happened to lead the Union Iron Works into making shipbuilding its principal business, he thus enumerated the points influencing his decision:

"The decay of the demand for mining machinery and the business of mining had proceeded. . . . The railroad developments seemed to have been carried to a disastrous point of competition. . . . The agricultural machinery manufactured in immense quantities all through the West seemed to show that the branch was covered. . . . Transportation on the waters had been neglected. It seemed that the unoccupied field of ocean must eventually come up and keep pace with the giant growth of railroads. This is what led my attention to the enterprise of ship-building."[22]

It was during a trans-Pacific voyage early in 1880 that the idea finally crystallized in Scott's mind. He continued his journey by making his way around the globe visiting shipyards, and upon his return to San Francisco he started reorganizing the Union Iron Works for its next phase.

Additional capital was secured. Waterfront property which had earlier been taken in trade for mining machinery was added to, for the proposed new plant to be erected on the twenty-five acre tract in the Potrero that forms the nucleus of Bethlehem Steel's Union Iron Works yard of today.[23] The earlier partnership arrangement gave way to incorporation, and in 1883 the new buildings were constructed.[24]

George W. Prescott was president of the corporation. Henry T. Scott was vice president and treasurer, and Irving M. Scott was general manager. George W. Dickie and his brother James Dickie were brought in to take charge of the shipbuilding. These two men with a third brother, John, had come to San Francisco from their native Scotland in 1869. All were shipbuilders by inheritance, training, and experience. John and James had established a shipyard in San Francisco under the name of Dickie Brothers, and George had been in charge of designing and building marine engines at the Risdon Iron Works.[25] He also had given thought to the future of Pacific Coast shipbuilding, and he aided Scott in planning the organization.

Thus with new financing, a new plant, and the services of two excellent shipbuilders, Scott set about transforming into a first-class shipyard a firm which, in its three decades of operation, had built many ship's engines and boilers but no hulls, unless the putting together of the *Camanche* could be counted as such. It is nowhere stated that he built the Union Iron Works into a great shipbuilding plant because he foresaw that the Navy would be reconstructed and he wanted a part in it. But one can guess that such was the case, for his activities from 1880 to 1885 seem to have moved directly toward putting the firm into a position which would allow it to bid for warship contracts.

One of the first jobs of the new yard was the construction of a steel merchant ship, the collier *Arago*. It was the first steel vessel built on the Pacific Coast, and Scott described it as "the first all steel merchant ship ever built in the United States."[26] Its successful launching in April of 1885 was followed closely by the launching of other steel craft.

Meanwhile, the new yard was undertaking another equally important project. In 1884 work was begun on its first Navy contract—construction of a caisson for the Mare Island Navy Yard dry dock. Irving M. Scott later explained to Bancroft's interviewer that this was the forerunner of the yard's warship contracts.

"The first time that I appeared at Washington for a contract," Scott stated, "was for the dry dock at the Mare Island Navy Yard. The Secretary of the Navy was William E. Chandler. . . . Our bid for the caisson was less than any one else's bid; and after considerable delay owing to the doubts thrown upon our ability to successfully perform this work and the influences brought to bear upon Secretary Chandler [presumably by the rival eastern shipbuilders], we were finally awarded the contract for the caisson which was built and launched successfully and delivered at the Mare Island Navy Yard without the first [least?] dispute or discrepancy during any part of its construction. This was followed by bids for the cruiser Charleston."[27]

Securing the Contract

The 1885 congressional act provided that "all American shipbuilders whose shipyards are fully equipped for building or repairing iron and steel steamships, and constructors of marine engines, machinery and boilers" were to be allowed to bid on the *Charleston* and the other authorized vessels.[28] The advertisement for bids demanded that "satisfactory evidence that the bidders are such builders or constructors must accompany the proposals or be submitted to the [Navy] department in advance."[29] That meant, in brief, that the Secretary of the Navy was allowed arbitrary judgment as to whether an organization was qualified to bid. It was this factor that sent Scott to Washington for the major part of 1886.

In the debates preceding the 1885 naval appropriation bill, a congressman from Illinois had warned, "When bids are invited for building the ships proposed in this bill there will be but three great ship-building firms in this country able to compete for the contract. . . ."[30] He appears to have been referring to John Roach (who, despite his former insolvency, was trying to get more contracts), Harlan & Hollingsworth of Wilmington, Delaware, and William Cramp & Sons of Philadelphia. Certainly the thought of a Pacific Coast shipyard never entered his mind. The idea of building warships in the West would have seemed preposterous to easterners if such a thing ever occurred to them. It was up to Irving M. Scott to go East and convince them that, in spite of high labor costs, high freight rates, great distance from sources of supply, and complete lack of national prestige, the West could produce first-class warships.

The successful construction of the Mare Island caisson gave Scott what amounted to a formal introduction to the Navy Department. Now he had to prove to the Secretary that his yard was able, from a mechanical point of view, to build a modern warship, and that its finances were sound, so that it would not fail as John Roach had done in attempting to build the first New Navy ships. Further, Scott had to convince the Secretary that steel of the necessary high quality could be procured in the far West; and (perhaps most difficult because least tangible) that the product of so new a region as the Pacific Coast could match that of eastern industrial districts, and that a yard so recently established as the Union Iron Works could build as good a ship as, for instance, the fifty-year-old Cramp plant.[31]

It is unfortunate that we have no detailed account of Scott's activities at Washington, for the securing of the contract for the *Charleston*, and subsequent contracts for other great battleships of the Spanish-American war period, were primary steps in bringing Pacific Coast industry toward maturity.

An article in the San Francisco *Call* of 1887 gave some details of Scott's labors. Allowing for the reporter's exuberance, it may be considered basically accurate.

> Nine months before the award, Mr. Scott went to Washington, and sat down before the [Navy] department, determined not to raise the siege till he had secured the building of one of the new cruisers for this coast. He met with derision on every side. He was asked how California could build their ships without steel. He was reminded of the thirteen weeks' [ironmolders'] strike of the year before and was asked how he expected to fulfill his contract if his men struck again. He was warned by officious friends that, to compete with Pennsylvania and New York, where iron is $13 to $14 cheaper than here, was to invite bankruptcy. He was laughed at and jeered. His sincerity was questioned. But he just kept right on, spending his days in spying out the land, and his nights in closely figuring how cheaply he could afford to build a first-class ship for the honor of California.[32]

Testifying at a political coercion trial that same year, Scott explained, with due modesty, another aspect of his fight:

> It cannot be said that I was the chief man in getting the contract for the Charleston. Everybody assisted—all our Representatives were anxious to get the work for the coast. In fact all the California colony assisted us. My good faith was attacked by the Delaware ship builders, and I have to thank J. W. Mackay and D. O. Mills, who told the Secretary we were financially able to do the work. We have, also, friends in Senator Morgan of Alabama and Gorham of Maryland, who are much interested in California.[33]

The West's total lack of steel-production facilities was another obstacle that Scott had started to overcome in 1880, when, with Patrick Noble of the Pacific Rolling Mill, he had planned toward the Coast's self-sufficiency in steel—it continues to be a hope in 1946. But some steel output was imperative, and in 1881 the rolling mill turned out the first California-rolled steel. In 1884 actual production began, and when Scott went to Washington to get the contract for the *Charleston*, he carried with him a sample of the mill's work, a rolled steel slab some three feet long, to show what the Pacific Coast could produce. It was one of his most convincing arguments.[34]

In the Report of the Secretary of the Navy for 1887, this last conquered obstacle is reduced to one dignified sentence: "Especially has the steel made upon the Pacific Coast been notable for its quality, and the construction of the criusers there [by then, another contract had been awarded] may mark an important event in its industrial history."[35]

Building the Charleston

The contract was executed on December 28, 1886. It called for a protected cruiser of about 3700 tons displacement, 320 feet in length. The price was $1,017,500.[36] Armament and fittings were not included in the contract, for they were to be supplied by the Mare Island Navy Yard. The time allowed the Union Iron Works to complete its job was eighteen months.

Technically, work began on the first day of 1887, but it was in reality a long time before the yard got into full swing on the *Charleston*.[37] Irving M. Scott and his brother became quite sensitive about being asked questions. The fact of the matter was that the yard, in spite of all that had been said, was not yet fully equipped for building a battleship.

There were not enough skilled workmen on the company's rolls, for one thing. Before that problem was solved, Scott got into hot water. The Boilermakers' International Union was meeting at Reading, Pennsylvania, and, according to an *Examiner* dispatch, "It was stated that the San Francisco firm which is to build one of the new cruisers for the Government has taken steps to import labor from Europe. A petition will be sent to the Secretary of the Navy, protesting. . . ."[38]

Scott, just back from Washington and probably harried by initial considerations of the job before him, lost his temper when a reporter came to ask him about the rumor.

"It is nobody's damned business whom we employ if the Government is satisfied with the work we turn out," he told the man. "If we can secure skilled workmen here it is reasonable to suppose they will be utilized. If skilled labor must be obtained in Europe we will send there for it. It is no one's damned business when we are going to work, and we will begin when we get ready. . . . We are building up an industry on this Coast, which contributes largely to the prosperity of this city, and it is not proper that the details of our work should be brought into question by outsiders, who know nothing about the matter."[39]

Three months later another reporter, checking on the situation, found that a good many foreign laborers had been hired but that "apparently none of these new men have come on contracts, as rumored." He added that "interviews with a number of them show that they have come to the city of their own notion, seeking work, and have been employed upon applying at the office and stating that they are experienced in building iron ships. On new [as opposed to repair] work they labor ten hours a day for $3.50." Even so, wages were higher than on the East coast, and, of course, much in excess of those in Scotland and England, where most of the men came from.[40]

The second important problem facing the Union Iron Works was fitting up the yard to build the cruiser. A slip had to be constructed. Additions had to be made to the blacksmith shop. A planing mill and a coppersmith shop had to be built. And all kinds of new tools had to be devised.

The magazine *Industry* later explained:

> The special implements required had to be either made or purchased abroad. Our makers of machine tools having heretofore had no market for such implements, could not of course prepare drawings and patterns for them, and could not in any case have done so within the time required; so the Union Iron Works have not only had to construct a warship, but to a great extent prepare their own implements for the purpose.[41]

Another major problem had to do with the plans that the Government furnished for the *Charleston*. Much time was spent beyond that usually necessary for checking, because flaws were found. These plans became something of a *cause célèbre*, and further discussion of them will follow.

The other of the principal problems was that of supply. Much of the steel was produced at the Pacific Rolling Mill, but certain items were beyond their facilities. The armor plates were ordered from the Carnegie-Phipps Company at Pittsburgh, and shipments were discouragingly slow in arriving.[42] What with one thing and another, it was August 29, 1887, before the keel was laid.

While the Pacific Coast could not produce the armor plate and the propellor shafts (the latter were ordered from Krupp in Germany), the local rolling mill made a better showing than anyone had expected. All of the angle bars, T bars, and Z bars came from their shops. And it was there that the huge castings were made for the stem, the propellor shaft brackets, and the stern-post. The successful accomplishment of these castings was an important part of that industrial coming-of-age which the *Charleston* started on its way to the coast.

The casting of the stern-post was perhaps the most spectacular event in the building of the cruiser. It was one of the largest castings ever made in the United States, 11,130 pounds when finished.[43] Five weeks of preparation preceded the pouring of the metal. On June 22, 1887, a small group of privileged persons was allowed inside the rolling mill to watch as the valve was opened and the fiery liquid poured into the mold. "The spectacle was splendid in the extreme," wrote the *Chronicle*. And, more important, the Navy's Inspector of Steel, Lieutenant F. P. Gilmore, found the quality of the work "unexcelled."[44]

By New Year's Day of 1888 the *Charleston's* second deck beams were in place,[45] and after that the work seemed to move forward faster. Finally, eleven months after the keel was laid, the ship was launched.

The launching took place on July 19, and in the evening in order to take advantage of the high tide. It was an event of great local interest. According to one reporter:

> All San Francisco journeyed to the Potrero to witness the event. Although the launch did not take place until 7:30 P.M., as early as five o'clock in the evening the people commenced to stream out to the Union Iron Works. . . . The line of vehicles, of foot-travelers, of heavily-laden cars reminded one of an exodus from a besieged city.[46]

The crowd that witnessed the event from the streets, the nearby wharves, the beach, and the hills was estimated at 20,000, while some 5,000 more were admitted to the yard itself.

> These were not all the people who witnessed the launch [continued the *Alta*]. Speculators had during the day chartered numbers of steamers, and they, laden to the gunwhales, steamed to within a safe distance of the slips and there waited. Besides these there were numberless whitehalls and other craft moving about on the still water like cockroaches on a sheet of glass.

On the platform built around the bows of the ship were officials of the Union Iron Works and their distinguished guests, a fact enlarged upon by the *Examiner:*

Many of the officials and citizens were accompanied by their wives and other lady members of their families, whose presence added that grace and beauty to the assemblage usually lacking in the absence of the female element.

At about quarter past seven the First United States Artillery Regiment Band struck up a succession of patriotic airs, accompanied by the sounds of workmen knocking away the blocks holding the hull. The music over, a chaplain came forward and delivered part of an invocation. Part only, because before he had finished, the ship started sliding away. Miss Alice Scott, daughter of Irving M. Scott, quickly swung the bottle of christening wine against the side of the ship, spoke its name, and watched it glide down the ways. There was cheering and whistling from all sides as the hull slid into the bay and onto a bar of soft mud, as planned. The launching was a success, and the *Examiner's* reporter noted that "even the Eastern visitors . . . forgot their reserve and joined in the general rejoicing with all the enthusiasm of old Californians."

Trials and Acceptance

The *Charleston* steamed out of the Golden Gate under its own power in May of the following year, heading down the coast to the Santa Barbara channel for its first trial. The day of its departure, the *Examiner* published a cartoon titled "Uncle Sam Throws Columbia's Slipper After the Charleston," the act being literally depicted.[47]

The trial, however, was a failure. Defects of design in the machinery became apparent, and by the end of May the *Charleston* was back at the Union Iron Works undergoing changes. No one who had had a hand in building it was surprised.

"All the weak spots developed in the trial were weak in the specifications, and had been observed by us and brought to the notice of the Secretary of the Navy while the vessel was building," said Irving M. Scott.[48] And such had indeed been the case. At an engineering congress held at Chicago in 1893, the whole story came out.

The Navy Department had purchased the plans for the *Charleston* from a British builder, feeling safe in relying upon what was considered Great Britain's shipbuilding superiority. As the Secretary of the Navy had explained in his 1887 report, "She is building upon the plans of the swift Japanese cruiser *Naniwa kan,* built by Sir Wm. G. Armstrong, with such modifications in quarters as are rendered necessary by the conditions of the U. S. service and the substitution of 8-inch for 10-inch rifles."[49]

When George W. Dickie, who had directly superintended the building of the ship, read a technical paper on "Auxiliary Machinery of Naval Vessels" at the 1893 engineering congress, he mentioned that certain difficulties had been encountered in working with the purchased plans. When he was through reading, a member of the congress, named A. M. Mattice, arose and told a good deal more about what Dickie had had to contend with. His remarks are worth quoting at some length, particularly since Dickie himself confirmed them.

"Nobody can tell you better than Mr. Dickie," said Mattice, "that the machinery plans had to be greatly changed before the ship was completed. I was connected with the service at that time, and Commodore Loring, the Engineer-in-Chief, gave me the job of writing the specifications for the 'Charleston' and getting the plans in shape for the builders. Now these plans, although covering a great many sheets—and really of very imposing appearance to the uninitiated—were in fact a very sorry lot of drawings. The plans were supposed to be those of the 'Naniwa-Kan' but one of the first things that I noticed was that the general plans were those of the 'Etna,' [an Italian warship] while the detail plans were from the 'Naniwa-Kan' and the 'Giovanni Bausan' [Italian also], and there were one or two of a rather chestnutty flavor that wouldn't fit in with anything else, and which I could never exactly locate, but thought that they belonged to the 'Esmeralda' [Chilean]....

"Well, I made a list of the 'outs' and misfits in the plans, and the Engineer-in-Chief took it to the Secretary. . . . But the Secretary thought that the Engineer-in-Chief was feeling hurt at the way the plans had been secured, and was showing his ill-feeling in criticism. So he put his foot down and ordered that the machine be built exactly according to plans without any change whatsoever. . . . Well, the Union Iron Works got out of the difficulty, at some expense to themselves, by changing things. . . . Taking it all . . . the 'Charleston' was not a duplicate of the 'Naniwa-Kan' by a long shot; the plans of the latter simply formed a sort of nest egg on which the Union Iron Works sat, and laid a design which made a very successful ship."[50]

Twenty-five changes had been suggested and accepted by the Navy Department by the end of 1888.[51] But, as Scott had said, the reason the ship's first trial trip was a failure was that others had been rejected. George Melville, Chief of the Navy's Bureau of Steam Engineering, acknowledged as much when he wrote in his 1889 report: "The first trial of the Charleston was a failure due to several defects in design."[52]

The second trial was held in August of 1889, and upon its results the ship was accepted, although the required horsepower had not been attained. The standard had been set at 7,000 horsepower, with a premium of $1,000 for each horsepower developed above that and a penalty of $1,000 for each one below. Although the *Charleston* achieved a speed of 18¼ knots on its official trial, it developed only 6,666.16 horsepower.[53]

Upon officially accepting the ship on November ninth of that year, the Navy placed no penalty upon the Union Iron Works for having taken more than twice as much time to build it as had been specified. It recommended, too, that the penalty for failing to achieve the specified horsepower be remitted. Melville stated that the *Charleston's* second trial was "very successful although the results were below the requirements of the contract." By inference he attributed the fault to the plans and concluded that "altogether the Government has a much better vessel than was contracted for, and I therefore have no hesitation in recommending that the penalty be remitted."[54] It is proper to add here that George W. Dickie's skill and ingenuity as an engineer had much to do with the final success of the ship.

Congress passed an act returning to the Union Iron Works the sum of the penalty. By then, Scott was busy with more government contracts. The yard had lost money on the *Charleston*,[55] but Scott had won for the West its chance to build warships. By the time of the *Charleston's* commissioning, in December of 1889, the yard was hard at work on the *San Francisco* and the *Monterey*, with the *Olympia* looming in the immediate future and the *Oregon* less than two years away. Warship building on the Pacific Coast was established.

NOTES

1. San Francisco *Examiner*, November 25, 1886, p. 1.

2. *San Francisco Municipal Reports* (San Francisco, 1886–1891), summaries of manufacturing and industrial statistics in Assessors' Reports.

3. Letter to Representative Frank Lawler of Illinois, read to the House of Representatives, *Congressional Record*, 49th Cong., 2nd sess., Jan. 25, 1887, p. 1005.

4. *Ibid.*

5. General sources for this paper, particularly those bearing upon the national background, are as follows: *Annual Reports of the Secretary of the Navy* (Washington, 1880–1890); Frank M. Bennett, *The Steam Navy of the United States* (Pittsburgh, 1896); George R. Clark, William O. Stevens, Carroll S. Alden, and Herman F. Krafft, *A Short History of the United States Navy* (Philadelphia and London, 1911); George W. Dickie, "The Building of a Battleship," *Overland Monthly*, n.s., XL (July 1902), 1-21; F. P. Gilmore, "Shipbuilding and Its Interests on the Pacific Coast," *Proceedings of the United States Naval Institute*, XV (1889), 443-449; Andrew S. Hallidie, "Manufactures in San Francisco," *Mining and Scientific Press*, LI (October 10, 1885), 242-3, 252; Joseph Hutchison, "American Shipping," *Overland Monthly*, n.s., I (May 1883), 462-468; Archibald Oden, Jr., comp., *Navy Yearbook* (Washington, 1919); John R. Spears, *The History of Our Navy* (New York, 1899), vol. V; Harold and Margaret Sprout, *The Rise of American Naval Power, 1776–1918* (Princeton: Princeton University Press, 1944). Other sources are as indicated.

6. Hamilton J. Eckenrode, *Rutherford B. Hayes* (New York: Dodd, Mead and Co., 1930), p. 242.

7. Hutchison, *op. cit.*, p. 463. See also the address of Senator John F. Miller of California in favor of strengthening American shipbuilding facilities and reviving the Navy, *Congressional Record*, 48th Cong., 1st sess., Feb. 28, 1884, pp. 1453-1454.

8. *Congressional Record*, 48th Cong., 1st sess., Feb. 27, 1884, pp. 1426-1428; Feb. 29, pp. 1481-1482.

9. San Francisco *Examiner*, March 27, 1887, p. 3.

10. *Annual Report of the Secretary of the Navy* (Washington, 1885), vol. I, p. xix.

11. Data on the history of the Union Iron Works is drawn from the following general sources: Hubert Howe Bancroft, *Chronicles of the Builders of the Commonwealth* (San Francisco, 1891), I, 440-493; Henry G. Langley's *San Francisco Directories* (San Francisco, 1859–1874), sections titled "General Review"; San Francisco *Herald*, November

23, 1857, p. 2, and November 24, 1857, p. 2; "History of the Life of Peter Donahue" (original typescript in Bancroft Library, University of California, Berkeley); and "Biographical Sketch of James Donahue" (original typescript in Bancroft Library). All of these accounts contain differences as to detail, and such variations have been reconciled without specific explanations being made. Other sources are as indicated.

12. William T. Sayward, in his "Pioneer Reminiscences" (original manuscript in Bancroft Library), pp. 4-5, states that prior to the establishment of this shop, James Donahue had conducted briefly a smaller blacksmith shop "between Clay and Commercial Sts."

13. San Francisco *Herald*, June 9, 1853, p. 2.

14. *Ibid.*, November 24, 1857, p. 2.

15. Bennett, *op. cit.*, Appendix B (a list of the Navy's steam ships from 1814 to 1896).

16. "Reports of Visiting Committees," *Transactions of the California State Agricultural Society during the Year 1859* (Sacramento, 1860), p. 110.

17. *Official Records of the Union and Confederate Navies of the War of the Rebellion* (Washington: Government Printing Office, 1921), Series II, vol. I, p. 197.

18. San Francisco *Bulletin*, October 3, 1859, p. 3; San Francisco *Alta California*, February 21, 1862, p. 2.

19. Principal sources used for data on the *Camanche* are: "Launch of the Monitor Camanche," *Pacific Monthly*, II (November 1864), 844; *Official Records of the Union and Confederate Navies of the War of the Rebellion*, Series II, Vol. I, p. 50; Bennett, *op. cit.*, p. 340 and Appendix B; and accounts in San Francisco newspapers between November 1863 and December 1864.

20. Bennett, *op. cit.*, Appendix B; *Congressional Record*, 48th Cong., 1st sess., Feb. 26, 1884, p. 1390.

21. In addition to previously cited sources, data on Irving M. Scott has been derived from the transcript of an interview with Scott dated San Francisco, April 7, 1891 (original typescript in Bancroft Library), and from information supplied verbally to the writer by Mrs. Reginald Knight Smith, to whom grateful acknowledgment is here made.

22. Interview with Irving M. Scott, *op. cit.*, pp. 6-7. Spelling and capitalization errors in the original transcription have been corrected.

23. Bethlehem Steel Corporation acquired the yard in 1905.

24. A detailed description of the plant is given in: Caspar T. Hopkins, George C. Perkins, Andrew Crawford, Charles L. Taylor and Charles B. Stone, *Report on Port Charges, Shipping and Ship Building* (San Francisco, 1885), pp. 74-82.

25. Account of the work of the Dickie brothers, untitled (original manuscript in Bancroft Library).

26. Interview with Irving M. Scott, *op. cit.*, p. 4. The account of the work of the Dickie brothers, *op. cit.*, p. 4, mentions the *Arago* as "amongst the first vessels built entirely of steel in the United States."

27. Interview with Irving M. Scott, *op. cit.*, p. 8.

28. San Francisco *Chronicle*, September 18, 1886, p. 2.

29. *Ibid.*

30. *Congressional Record*, 48th Cong., 2nd sess., Feb. 23, 1885, p. 2040.

31. J. C. Cramp, interviewed in San Francisco in April, 1887, replied to a reporter's question, "No, I would not like to hazard an opinion as to the outcome of shipbuilding here for some years. But I know Mr. Scott is a driving man, and I understand his plant is exceptionally fine." (San Francisco *Examiner*, April 2, 1887, p. 4.)

32. San Francisco *Call*, February 20, 1887, p. 1.

33. San Francisco *Chronicle*, May 5, 1887, p. 7.

34. Information given verbally by Mrs. Reginald Knight Smith; and notes on the history of the Pacific Rolling Mill (original typescript belonging to Judson Pacific-Murphy Corporation).

35. *Report of the Secretary of the Navy* (Washington, 1887), p. v.

36. Sprout (*op. cit.*, p. 188) states: "The term 'protected cruiser,' no longer used, designated a warship with a thick steel deck designed to give some protection to the vessel's interior. Armored warships . . . carried armor plate on their sides as well as on their decks."

37. General sources on the construction of the *Charleston,* in addition to those already cited, are accounts in the San Francisco newspapers for the period from November, 1886, to January, 1890.

38. San Francisco *Examiner,* December 23, 1886, p. 1.

39. *Ibid.*, December 24, 1886, p. 3.

40. San Francisco *Chronicle,* March 24, 1887, p. 8.

41. "The Lesson of the Charleston," *Industry,* I (October 1888), 43.

42. San Francisco *Call,* May 19, 1887, p. 3; San Francisco *Alta California,* July 20, 1888, p. 1.

43. San Francisco *Alta California,* July 20, 1888, p. 1.

44. F. P. Gilmore, *op. cit.*, p. 446.

45. San Francisco *Call,* Jan. 1, 1888, p. 9.

46. San Francisco *Alta California,* July 20, 1888, p. 1. The *Alta California's* account, together with that of the San Francisco *Examiner* (July 20, 1888, pp. 1-2), forms the principal source for the ensuing description of the launching.

47. San Francisco *Examiner,* May 7, 1889, p. 1.

48. *Ibid.*, May 21, 1889, p. 2.

49. *Report of the Secretary of the Navy* (Washington, 1887), p. 323.

50. George W. Dickie, "Auxiliary Machinery of Naval Vessels" (under "Discussion," following the paper), *Proceedings of the International Engineering Congress, Division of Marine and Naval Engineering and Naval Architecture* (New York, 1894), vol. I, Article xvii.

51. *Report of the Secretary of the Navy* (Washington, 1887), p. 368; *ibid.* (Washington, 1888), p. 329.

52. *Ibid.* (Washington, 1889), p. 613.

53. *Congressional Record,* 51st Cong., 1st sess., April 12, 1890, p. 3332.

54. *Report of the Secretary of the Navy* (Washington, 1889), p. 614.

55. San Francisco *Chronicle,* December 29, 1889, p. 13.

A Note on Antecedents and Trends in the Domestic Architecture of California

By Roland I. Stringham

THE plan to restore the old mining town of Columbia, with much the same sympathy and skill as has been expended in the restoration of Williamsburg, Virginia, raises in one's mind the question: Is there, today, after a hundred years of statehood, something that can be called "California architecture"?

For the purposes of this brief discussion it is logical to confine the subject to domestic architecture, because it is in this field that there has been originality on the part of California architects. In commercial, industrial and monumental work, on the other hand, although California has been keeping pace with other parts of the country, she has distinctly not played the role of the pioneer. Consider, for example, the skyscraper. One notices that as the years have passed, forms once accepted have been dropped in favor of simple, vertical lines and less conventional detail. One notices, too, that the changes have been country-wide and that in no case have they been developed in response to the requirements of locale or such factors as climate.* With domestic work, on the contrary, local conditions are of much importance. Therefore, even at the risk of being obvious, it should be stated at the start that whatever contributions the architects of California have made toward a better way of living, the stimulus to their creative thinking can be traced to the all-year temperate climate and the goodly share of available land.

Architecture, it is perhaps unnecessary to point out, is an art with a function and, as such, it is probably a more realistic expression of the culture of the times than any other art form. It is not the province of this paper to examine the connotation of the word *culture*, but it is proper to point out what has affected the expression of that culture, here in California, in the realm of design.

There are in this state old towns where most of the buildings were originally built of adobe, showing that they had come under Spanish influence. Many of these structures exhibit a true sense of scale, a very elusive quality in architectural design, and when restored to their original condition there is, in the better ones, a very compelling appeal. The same may be said of some of the early mining towns that have remained relatively untouched. Here one can see quite charming Colonial work, the materials for which were brought around the Horn. Although they would scarcely be duplicated today for dwellings, their quaint charm makes us realize that the early designers had the touch of the artist and worked toward a definite goal.

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*However, it is amusing to recall that one of San Francisco's top notch office buildings, designed some years ago by an eastern firm of architects, had provision for steam pipes at the cornice line to prevent the formation of icicles.

Then, in the late 1880's, a series of extraneous events, euphemistically called the "Industrial Revolution," placed at the disposal of builders in every country new materials and methods of treatment. In the prosperous, expanding communities of the West the effect was heightened, because quality was forgotten and *quantity* broke all bounds. Colonial architecture had grown up slowly, under the guidance of designers whose work was backed by sound reasoning and a true conception of usefulness. But on the fast-growing frontier the greater part of the building-up process found itself coinciding with the machine age of the Victorian era, with its questionable taste, its medley of awkward towers, turrets, and jig-saw ornament, all applied with a lavish, thoughtless hand.

After this Victorian orgy, a semblance of taste and restraint began to reappear, and California architects sought to get inspiration as best they could from abroad as well as from the time-tested Colonial tradition. The state was too young to have evolved a traditional heritage in domestic architecture—a heritage *that was appropriate to the conditions.* The Spanish influence was anomalous in that the originals from which such dwellings took their inspiration were built in a land where there was a window tax, thereby reducing openings to a minimum. But one of California's most widely advertised assets, sunshine, can be taken advantage of only with the use of larger expanses of glass and less wall space. Therefore it was not a case of trying to find a traditional heritage but to create one—one in which an intimate connection was to be established between indoor and outdoor living. And this meant the elimination of unsightly back yards, to which the frontier communities had had no time to pay attention. Large expanses of window bring weeds and rubbish piles into the living quarters, with the result that now a house is very apt to be designed with provision for a "garden front" as well as a street front. It is not a new development but something that has been sadly neglected.

In spite, however, of the skillful planning and design going on around us, the fact remains that as to background, the over-all picture is not a happy one. In one block may be seen a Cotswold cottage, a Spanish house, and perhaps a Colonial type, to mention only a few possibilities. The cosmopolitan character of the people, drawn in crowds from every point of the compass, prevents many individuals from being offended by the incongruities. Fortunately, too, the effect of the architectural mixture is tempered by gardens, some of it being actually screened out by shrubs and trees; but, even so, seldom is the tempering process potent enough to achieve what has been described as decent monotony. We see monotony enough in the huge tracts of otherwise desirable building sites, covered with something that can only be described as potential blight, where for every well planned and well designed dwelling there are dozens of badly planned and pretentious little places. In contrast are some of the smaller and more or less untouched towns of the east coast. It is not necessary for a visitor from our state to go particularly to Williamsburg in order to see what an atmosphere of consistency can do for a community.

California probably never will produce the effect of coherence and harmony in its domestic architecture, such as characterizes these older communities of the East. As intimated above, the population here has always been too varied and too fluid. It takes a measure of provincialism to achieve a strongly marked consistency. Furthermore, our way of life has changed, and personal existence has grown unprecedentedly complex. In the physical world, wider choices in materials and methods are within reach. This eclecticism is bound to contribute its share to the more chaotic aspects of planning and design. But, at the same time, it has been responsible already for much of the progress made to date, a progress that has been commanding country-wide attention.

Principal Actions of the California Junta De Fomento, 1825-1827*

Translated by Keld J. Reynolds

(Continued)

IV. PLAN

for the Colonization of Nationals for the Territories of Upper and Lower California Proposed by the Junta de Fomento of the Peninsula.

Most Excellent Sir:

Desirous of completing the contribution made at the time it passed into your hands its proposed ordinance for foreign colonization in the Californias, the junta has drawn up the accompanying document for the colonizing or settlement of the same territory by Mexicans.

The junta, in conformity with the little information it has been able to gather concerning the natives, has proposed in the ordinance, first, that effective assistance be given to colonization and settlement by the natives of that peninsula, as the best and most adequate means for the republic to retain this most important area, and to enjoy the advantages which it is capable of conferring beyond measure; second, that the new population shall be established without prejudice to the catechumens, neophytes, old Christians and present inhabitants of that country; and third, that this population increase shall be aided by trade, communications, commerce and amicable relations, the subjugation of the numerous heathen and the incorporation of their lands with that of the Mexican republic.

If the ordinance accomplishes these three objectives, in this alone the junta will find the reward for its labors, because it is deeply persuaded that nothing is more important for the development and preservation of the Californias, than that the Mexican population shall be increased there; for that reason the plans projected to this end ought to carry a deliberate stimulus to promote individual interest, and definite procedures which will make effective immediately the first adjudication and division of the land.

Although the junta has tried to exercise prudent foresight, so as to remove the obstacles it could foresee, it has not been held back more than was necessary by practical difficulties, which experience will reveal as well as show how to remove.

That which should be presented as more troublesome, is the matter of the expenses required by the arrangements in the ordinances, because anything which makes new demands upon the overburdened national treasury will be an obstacle to its acceptance; but the junta in its deliberations, conforming to Article 9 of its Act of April 6th, last,[76] as well as in the accompanying regulations, has designated the funds by which the indicated expenses can be met without burdening the treasury.

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*The collected pamphlets in which the actions were printed may be found in the library of the California Historical Society, the Bancroft Library, the Huntington Library, and as noted in the December 1945 issue of the Quarterly.

All the temporalities of the missions are properties which belong to them, the missionaries and the religious orders dependent upon them only having charge of the administration as trustees of the government.[77] No more useful investment can be made of these properties than by encouragement of settlement and cultivation of the lands of the missions themselves, and of the other lands which form the settled part of the Californias, because this will result in a positive gain to the neophytes and catechumens, and the political subjugation of the heathen tribes.

Concerning those temporalities, the junta has no information with respect to lower California,[78] nor has it been able to gather complete information touching upper California, therefore in support of Article 2 of the act cited above,[79] the supreme government is urged to demand of the prelates of Santo Domingo and San Fernando, that the former transmit to the junta the accounts of the missions within the jurisdiction of their province, and that the second be ordered to deliver to the junta the accounts of the treasurers of the upper California missions, in whatever place or city of the republic these may be, along with the accounts which the missionaries ought to have delivered.

Nevertheless the junta is aware of the supply services or ministrations which the missions of upper California have financed with those same temporalities since the year 1811, amounting to more than 600,000 *pesos* and providing for the needs of the presidios and of the soldiers, who have not been paid from the national treasury (which still owes them);[80] it is aware also that those supplies can be provided from other funds, such as should result from the natural increase of the cattle, from the labor and industry of the neophytes and catechumens whom the missions control, and from the trade and commerce which will result from this increase.

The small cost of transporting one hundred families to upper California, their support for three years, and the customary exemptions in return for cultivation, are calculated in the accompanying estimates.[81] For the first year the cost will amount to only 21,475 *pesos, 6 reales*, and for each of the two following years to only 10,225 *pesos, 6 reales*. If this small cost is discreetly distributed among the missions according to the nature of each expense, and is taken from the surplus capital which the mission temporalities have to their credit in the national treasury, the burden will be very light and in no way comparable to the great public good which will result, the supreme government cooperating to the end that the cost will be met from these surpluses in very small and almost imperceptible installments.

Although the temporalities of the lower California missions are not in a condition equal to those of the north, the junta understands that the inducements offered for settlement in the one will be even more effective in the other, and will always provide a norm by which to gauge what is suitable, and therefore to further the execution of its plans. The junta therefore has taken upper California as its chief object, from which much help can be had; it may even be of a kind to restore the population of lower California.

The junta's above-mentioned estimates for one hundred families to be brought to upper California, have been based on calculations made for the second article of the other act,[82] transcribed on the second day of this month; further, while all the needed information concerning available lands in the territory is not at hand, there is no doubt that according to the plans in the projected regulations, an opening exists for at least one hundred families, located with the discretion the act recommends as to climate, in the lands nearest to San Francisco, Monterey, the Santa Barbara channel, and San Diego.

In the presidios or missions referred to above can be located the depots for the dispensing of rations and goods which it will be necessary to supply to the settlers. There the meat supplies can be prepared and store-houses set up for grains and fats to help the settlers of lower California. Above all, knowing what lands can be effectively disposed of, the supreme government will be able to increase or decrease the number of settlers sent to one or the other of the territories.

With this in mind, the junta recommends to Your Excellency the kind of thing suggested at the end of Article 2 of the act of March 28, concerning the stock of cattle which belongs to the national treasury on the upper California farm called *Rancho de Real Hacienda*,[83] and the possibilities of this country supporting a numerous population, since it will be a pity not to take from these lands all the help and supplies they can furnish for the effective establishment of such a settlement.

The junta has not lost sight of the importance of going ahead with the settlement of the islands which are scattered along the interior and outside coasts of the peninsula, knowing that the Jesuits have made settlements along the Gulf of California. And the junta has given place in the ordinance to the idea that some island is destined to hold the criminals who merit expulsion from the California territories,[84] since there is nothing in the ordinance recommending to the settlers the footholds which the islands offer. Nothing can stimulate settlers more than the thought that the peninsula of California is not to be considered merely as a place of punishment, as a receiver of criminals who are not to be tolerated in any other society; but, instead, that those who might be able to corrupt or inconvenience it will be expelled.

In the opinion of the junta, it should be one of the first and most diligently sought considerations at the beginning of colonization of the Californias, that settlement should be done with families who are industrious, frugal and patriotic, because in this manner there will be established, from one generation to another, a love of work, of virtue and of country, and they will be able to communicate these sentiments to the heathen tribes, making known to them in a practical way the advantages of so excellent a society.

These few suggestions are sufficient for the Most Excellent President of the United States of Mexico, to whom Your Excellency will present them, to form a conception of the junta's desire to satisfy fully the orders he gave them to work with this material—which will reach suitable completion upon the establishment of a marine department in the Californias, an objective which will at once occupy the junta, while it awaits decision on its ideas concerning the system of management of the missions, and on the support it has asked for the continuation of the work remaining unfinished.

Mexico, May 30, 1825.

Your Excellency:

Juan José Espinosa de los Monteros. Tomás Salgado. José Mariano de Almanza. Lic. Mariano Domínguez. Lic. Carlos María de Bustamante. Pablo Vicente de Solá. Manuel González de Ibarra. José Ignacio Ormaechea. Francisco de Paula Tamariz. Tomás de Suria. Ignacio de Cubas.[85]

The Most Excellent Minister of Foreign and Domestic Relations.

Regulations for the Colonization of the California Territories by Families from the Federated States of Mexico

Article 1. The lands of upper and lower California, singled out for the purpose of this ordinance, are those occupied by the republic and those possessed, occupied or inhabited by the heathen nations.[86]

Article 2. The lands actually occupied by the missions will be judged occupied within the meaning of Article 2 of the colonization law of August 18, 1824, and will be considered the property of the communities of neophytes, catechumens, and Mexican inhabitants, and not subject to distribution other than among the present inhabitants themselves.

Article 3. From the lands actually occupied by the missions, there will be set aside all the portion which is considered necessary for the occupation and comfortable living of the catechumens and neophytes who must be supported in common, consideration being given to the heathen who may join themselves to the communities.

Article 4. The remaining arable lands will be distributed so as to give preference, over every other person, to the Christian natives capable of governing themselves.

Article 5. To these natives will be given the same help for living and cultivation as is to be given to an equal number of Mexican inhabitants.

Article 6. To the natives who prefer to employ themselves in other occupations or industries than in the cultivation of the soil will be given the same assistance and the same home-lots as will be assigned to the same number of Mexican settlers of the same class.

Article 7. Individuals and families already established in the towns and at the missions of the Californias territories, will retain the lands which have been assigned to them according to the ordinance of the first of June, 1779, which has been the rule in the peninsula.[87]

Article 8. To those who have been assigned no land at all, and who are without real estate, will be distributed land which is suitable for cultivation.

Article 9. To the persons spoken of in the preceding articles will be given supplementary assistance for the cultivation of the soil as set forth in Article 11, the cost to be deducted without loss at the end of three years.

Article 10. The remaining lands will be assigned to the Mexican townspeople who may be brought to the Californias, excepting those lands assigned to any colony of foreigners, according to the provisions of the following articles.

Article 11. In order to encourage settlement by Mexicans in the Californias, the following assistance will be given to a specified number:

1. The cost of transportation by land and sea, from the State of origin to their arrival in the Californias.
2. A daily ration of food sufficient for a family for the space of three years.
3. The monthly assignment for the same number of years and in proportion to the number of members in a family, of a sum not less than three *pesos* a month, and not to exceed four *pesos*.
4. Land judged to be arable by the government, according to the specified standards of measurement.
5. For the cultivation unit of 200 *varas:* 3 mares, 3 cows, with 2 calves, 3 sheep, 3 goats, all suitable for breeding, a yoke of oxen, 2 horses and one pack mule, one hunting knife, and in the same proportion for the entire extent of land granted to each colonist.
6. As soon as the settler has taken possession of the land granted to him under the terms of Articles 31, 34, and 38, he will also acquire the items of equipment referred to; and in case he does not qualify, he must repay in kind, or according to the prices in the rate-book.

Article 12. Besides the colonists spoken of in the preceding article, other Mexican citizens, wishing to move to the Californias for the purpose of practicing their professions or trades of all kinds, will be assisted with the following allowances:

1. The cost of the journey by sea and land from the State from which he comes to his arrival in the California territories.
2. A daily ration sufficient for subsistence for one family, for the space of one year.
3. The tools needed personally to practice his occupation.
4. A house-lot, the size to be according to the measure for the class to which he belongs.

Article 13. For the administration of this assistance, suitable depots will be established.

Article 14. The number of settlers, to whom will be given the assistance spoken of in the article preceding, shall be determined by the supreme government.

Article 15. This number will be renewed annually at the will of the same supreme government.

Article 16. When the settlers who migrate to the Californias do not designate the town or mission where they wish to be established, care will be taken to place them in climates and temperatures similar to those of their birthplace.

Article 17. Every Mexican, although he may not have legal residence in the territory of the republic, can by himself, or by forming a company with other Mexicans, draw up articles for the establishment of one or more new settlements, upon presentation of his colonizing project to the chief territorial magistrate in whose district the lands are located whereon he wishes to settle. The chief magistrate will examine the project as presented, and, finding it in harmony with the existing laws, or correcting it to harmonize with them, he will approve the project and put it into effect, reporting his approval to the government.

Article 18. The political chiefs of the territories are not to permit the drawing up of any agreement for new settlements, unless the *empresario* will agree to the stipulation of at least twelve families for each settlement; that is to say, twelve freemen with their wives. The respective political chief shall assign the promoter an absolute time limit, within which he must produce in the new settlement exactly the number of families for which he contracted, on pain of losing, in proportion to his failure, the rights and aids offered in his favor in the agreement, which will become invalid.

Article 19. As soon as at least six families of those included in the agreement will have presented themselves on the ground, they are to proceed to the formal establishment of the settlement, all of them swearing loyalty to the Constitution at the hand of the person commissioned by the political chief of the province.

Article 20. In every settlement, the government will be established according to the said form, or by whatever form may be given for the rest of the towns.

Article 21. Whatever contracts may be proposed for the colonization of the islands adjacent to the California peninsula, will be authorized with the greatest freedom possible under the terms of the existing laws.

Article 22. Every Mexican citizen who decides to establish residence in the California territories, will make his declaration before the council of the town he has chosen to live in, or before the municipal authorities established by the organic law of the territories.

Article 23. In a book designated for this purpose will be recorded his name and those of his family, if any; he will specify the state of the federation in which he was born, his condition and occupation; and from the date of this record he will be considered a resident of the community.

Article 24. The right to denounce lands in the Californias becomes effective for a Mexican citizen from the day on which, according to the provisions of Article 17, he takes up official residence in the territories, subject in other matters to the means and forms established by the laws.

Article 25. The extent of the lands to be adjudicated in the California territories, in harmony with the provisions of the preceding articles, is not to exceed the amounts designated in Article 12 of the law of colonization cited above.

Article 26. The minimum of irrigable land which may be granted for colonization will be 200 *varas* on each side; with reference to lands dependent on the seasons and lands for raising cattle, the proportions are to be as permitted under Article 12 already referred to.

Article 27. The land allotments for building lots are to be 100 *varas* on each side.

Article 28. The first distribution of land will conform to the accompanying model, so that between the allotments there will be unassigned lots of a square *milla*, or of 1666⅔ *varas*, which is the same thing, and these lots will remain the property of the republic.

Article 29. The republic will have the power to sell those lots to the owners of frontier lands who have applied themselves to the cultivation of their fields, and have not received the full extent of land as provided by law; or to the children of those same owners who solicit them, in order to consolidate the family holdings, and to those who by reason of their holding frontier lands will be given equal right to such lots.

Article 30. The republic will also have the power, in order to encourage settlement, to grant lands free of charge to settlers who are heads of families and have four children.

Article 31. Whenever a grant of land is made, even a very small lot, the limits and boundaries are to be recorded in a book which the municipal government is to keep for that purpose, describing the boundaries in the clearest and most unambiguous manner possible, and fixing them definitely with markers of mortar and stone, at the expense of the grantee, to forestall future questions which might ruin the families.

Article 32. Each family which comes of its own accord to settle and to join one of the communities is to be admitted and have done for it according to the provisions in Article 17.

Article 33. Unmarried men will also be admitted and granted such lands as may be judged suitable, according to the terms described in the preceding article.

Article 34. It will be so arranged that each new settler will cultivate or occupy the land granted to him, according to its nature, for a period of three years, counted from the day he takes possession of it, and if he does not do so within the time limit, he will lose all or part, according to the extent of his failure.

Article 35. Care will also be taken to prevent the destruction of the forests and to avoid the grave evils which result from the lack of fuel, so that no occasion will be given for hindering the explicit obligation to cultivate or occupy the lands, by the destruction of the wood in the woodlands and forests.

Article 36. In woodcutting, the ordinance which is now effective, or another which will be drawn up for the conservation of the woodlands and forests, is to be observed.

Article 37. All land which falls into disuse as described in Articles 34 and 41 may be denounced as vacant, upon the presentation of legal proof, but not without allowing the first colonist a hearing.

Article 38. Care is to be taken to instruct each new settler in the presence of the municipal authorities, after he has cultivated or occupied the lands granted him according to their nature and object, in order that he may make the required record, legalizing and assuring his control of the property so that he can dispose of it at will.

Article 39. New properties are not to be passed into hands which in any sense may be considered dead, according to the spirit of Article 13 of the law of colonization.[88]

Article 40. Every new settler is free to leave the Californias, and even the nation, and to dispose of property granted him, as soon as he shall have established his property rights.

Article 41. The colonist who wishes to leave California before establishing his rights to the real property granted him, may do so at his own expense, making restitution of everything he has received for equipment, for the cultivation of the soil or the exercise of his business.

Article 42. Every settler will have the power to dispose by will of the land he has cultivated, or that which has merely been granted to him, his heirs to enjoy the increase and to assume the obligations imposed upon the testator.

Article 43. If any settler should die intestate, his interest will be taken over by the person or persons named by his children, but they will also inherit the obligations to which the principal was liable.

Article 44. Every person conforming to the provisions of the regulations to whom new lands are assigned, will be exempt from all taxes[89] by reason of them, whether it be excise or the tenth, for the space of five years counted from the day he takes possession of the lands assigned to him.

Article 45. With respect to the slaves which the new settlers bring in, the decree on this subject promulgated by the general Congress must be obeyed.[90]

Article 46. All citizens of the Mexican republic, who wish to migrate to the California territories, will enjoy complete freedom in promoting and establishing fisheries, pearl hunting, commerce and mining, paying the taxes which are established or may be established in these matters.*

Article 47. Likewise they will be permitted to engage in trade and commerce with the heathen natives, and to acquire whatever land property they can in the territory occupied by these heathen, subject to the rules which have been established as a result of the eleventh of the powers given the general Congress, as set forth in Article 50[91] of the federal Constitution, it being understood that all real properties acquired in this manner by the inhabitants or colonists will be incorporated into the territory of the republic.

Article 48. Some island of those adjacent to the Californias is to be designated and equipped to receive criminals who merit expulsion from the peninsula, in order that its people may be purged of those persons who could corrupt them or inconvenience them.

Mexico, May 30, 1825.

OBSERVATIONS

1. Cost per capita for the sea and land trip, 23.1.
2. But one person belonging to a family of six will cost only 21.7.
3. The average figure for the two is 22.4.
4. The transportation of a typical family of four will cost 85.0.
5. Therefore the transportation for one hundred families will cost 8500.0.

NOTES

1. Sixty leagues is taken as the distance from source to port in order to fix an average number, this being the nearest to an average of the distances to San Blas and Acapulco, where the families bound for California must be sent to embark, the greatest, least and median distances being the basis for the calculation leading to the estimated number, sixty.

2. Because of the distance, the rations have been planned for ten days of travel, six leagues per day, the distance that muleteers regularly travel.

3. The sea voyage is set at thirty days, which is sufficient to sail to Monterey in certain months of the year.

4. If the families, who ask to go as settlers and colonists, are from the communities near the coast, as it is hoped they will be, the cost of the land trip can be reduced to zero.

This estimate is based on the number of one hundred families, because this is the number proposed, for the present, to colonize the lands in upper Cali-

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*In the initiative of the law, in the section on revenue, Article 1 proposes an exemption from taxes for the first six years, and the payment of two-thirds for the next six years.

ESTIMATE

of the total expenses for one hundred families of settlers and colonists, from their departure from the States of the federation until their arrival at Monterey, capital of upper California, on the assumption that sixty leagues is the average distance from the town of departure to the embarkation port, which shall be either Acapulco or San Blas.

	COST OF THE JOURNEY BY LAND						COST OF THE VOYAGE			SUMMARY OF THE TWO PARTS OF THE TRIP		
Families, the membership of which varies	Days on the road	Number of daily rations	Cost at four *reales* per day	Number of baggage items	Cost of baggage at one *real* per league	Totals	Days of voyage	Number of daily rations	Cost of the rations at 2½ *reales* per day	*Pesos*	*Reales*	*Granos*
Husband and wife without children	10	20	50	3	22 4	27 4	30	60	46 7 0	83	●	0
Couples with one child	10	30	74	3	22 4	30 0	30	90	46 7 ●	58	4	1
Couples with two children	10	40	10 0	5	37 4	47 4	30	120	37 4 0	85	0	0
Couples with three children	10	50	12 4	6	45 0	57 4	30	150	46 7 0	104	3	0
Couples with four children	10	60	15 0	8	60 0	75 4	30	180	56 2 0	131	2	0

Families with different numbers of members	Kinds and quantities included in the rations for each family[92]					The same for 365 days									
						Meat	Fats			Grains		Tallow		Corn	
	Meat (*Libras*)	Fats (Ounces)	Grains (*Cuartos*)	Tallow (Ounces)	Corn (*Cuartos*)	*Libras*	*Arrobas*	*Libras*	Ounces	*Fanegas*	*Cuartos*	*Arrobas*	*Libras*	*Fanegas*	*Cuartos*
A man and wife	2	2	½	3	2	730	1	20	0	3	36	2	18	15	10
A couple with one child	3	3	1	3	3	1095	2	18	0	7	29	2	18	22	39
A couple with two children	4	3	1½	3	4	1460	2	18	0	11	18	2	18	30	20
A couple with three children	5	4	2	4	4	1825	3	15	0	15	10	3	1	30	20
A couple with four children	6	5	2	4	5	2190	5	12	7	15	10	3	1	38	1

TOTAL VALUE OF THE FIGURES FOR RATIONS FOR ONE YEAR

Meat	146,000 *Libras*	
Fats	272 *Arrobas*	
Tallow	272 *Arrobas*	1461
Grains	758 *Fanegas*	
Corn	3,081 *Fanegas*	5697
		7158

Surplus:

		Pesos	*Reales*
Fats	215 *Arrobas*	322	4
Tallow	458 *Arrobas*	687	0
Hides	487	121	6
	Proceeds	1131	2

fornia which are reported disposable. From this scale can be figured whatever number is to be transported to lower California, bearing in mind the variations produced by different circumstances in the two territories and the fewer days needed for the sea voyage.

Mexico, May 30, 1825.

For the supply of 146,000 pounds of meat for one hundred families for a year it will be necessary to kill 487 cattle, which, at three *pesos* per head, will amount to 1461.0.[93]

With that number the rations of fats and tallow will be supplied; and, besides, the proceeds from the left-over surplus will amount to 1131.2.

Therefore, the only cost of the rations of meat, fats and grain will be 328.6.

The value of the grains and corn amounts to 5697.0.

Therefore the total cost of the rations is 6025.6 *pesos.*

REMARKS

The cost of the goods upon which the preceding estimate was based is as follows:

Three *pesos* of the costs [for cattle?] will produce 1½ *arrobas* of tallow, the price of which is 12 *reales* per *arroba,* and one *arroba* of fats at the same price.

The grains are lentils, peas, garbanzas or beans, the price of each being 12 *reales* per *fanega,* each *fanega* containing 48 pecks, and the price which has been set for the hides is two *reales* each.

OBSERVATIONS

From the preceding calculations it follows that one hundred families of settlers can be fed for a year for 6025 *pesos, 6 reales;* this amounts to 60 *pesos,* 2 *reales* per family for the year; and allowing four members to each family, 15 *pesos, 6 granos* for each person, or one *peso,* 2 *reales* per month.

For the carrying out of paragraph 3, Article 11 of the regulations, the allowances assigned a family of not more than three members will be 36 *pesos* per year; for one with more than three members the allowance will be 48 *pesos;* therefore the average allowance, from the two amounts, or 42 *pesos,* is hereafter to be the figure used for computing the annual cost of the expenses of the one hundred families.

Total annual allowance	4200.0
Total value of the rations for a year	6025.6
Total (*pesos*) . . .	10225.6

The result of this last balance is that the expense for each colonist family of the hundred will be, on the average, 102 *pesos* 2¼ *reales,* and for each individual it will be 25 *pesos* 4 *reales* and 6 *granos* per year. If this income is compared with that earned by the troops who guard the peninsula, which is 204 *pesos* per year, the estimate which has been drawn up seems an exaggeration, but arithmetical calculations using positive facts can fall into no error except that of the pen.

It has not been possible to calculate the value of the herds and tools to be given to the colonists, since, although it could be adjusted to those equipment items which the Spanish government gave to the settlers in the regulations of 1779,[94] the abundance of cattle at the present time and the small cost of tools, especially if they are brought from England or the United States, makes it certain that the total cost of the issue will be only 25 to 30 *pesos.*

Mexico, May 30, 1825.

[V.] A POLITICO-MERCANTILE PLAN
for the More Rapid Development of the Californias

Approved and Recommended by the Junta of the Territories

Correspondence Relating to the Plan

Most Excellent Sir:

Because of my great interest in the aggrandizement and prosperity of this republic, and because of the affection that, for many reasons, I have for Your Excellency, with whom I have lived on the best of terms since October of 1817:* I have the honor of presenting to you the enclosed project concerning the California peninsula, which is related to the one that will be undertaken next. If it seems good to you, will you kindly pass upon the report of the Junta de Fomento of the peninsula, so that, having seen its opinion, you will be able to dictate the provisions which seem to you most conducive to the realization of a matter as sagacious as it is interesting to the republic.

God and liberty, Mexico, February 1, 1825.

His Excellency, Francisco de Paula Tamariz, [to] the Most Excellent President[95] of the United Mexican States.

Office of the Secretary of Interior and Foreign Relations.

I have reported to the Most Excellent President on Your Excellency's letter of the first of this month, which was accompanied by a copy of the project presented to the Junta de Fomento de las Californias, concerning the establishment of a company for direct commerce with Asia from that area, of which trade the central point should be Monterey, capital of these territories. Having thoroughly acquainted himself with your explanation, he has directed me to tell you that the government will give all the assistance and protection in its power to the company or to individuals who will engage in this important trade; but since it is not able to give direct aid, you are to propose the measures needed to carry the enterprise to completion, trying to make them conform to the circumstances and powers of the government.

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*At that time, while on my way to Havana, I was seized by a corsair and handed over to the nationalist troops who, under the command of the present Most Excellent President, were occupying Boquilla de Piedras, and by your Excellency's orders I was treated with the greatest hospitality, although at that time I did not have the honor of knowing you.

May God guard Your Excellency many years.

Mexico, February 26, 1825.

Alamán.[96]

Señor Don Francisco de Paula Tamariz.

Most Excellent Sir:

The lack of health which I have had in these last days has deprived me until today of the honor of acknowledging receipt of Your Excellency's great favor of the 26th of last month, by which I have been informed that it will please Your Excellency to give me a quick reply for the Most Excellent President, relative to my proposal that a board of trade be formed for direct trade with Asia, the center of this trade to be Monterey, the capital of the territory of upper California.

Neither the said Most Excellent President, nor Your Excellency, will have cause to fear that I shall fail to follow through and not be able to show that such an enterprise is justifiable. Towards its attainment I shall in a very short time have the honor to present to Your Excellency the plans and regulations I am formulating so that, with notations from the superior insight of Your Excellency, the favors I have thought it necessary to ask may be dispensed by him.

I pray that Your Excellency will have the goodness to bring this to the attention of the Most Excellent President, and forgive my delay in replying.

May God guard Your Excellency many years.

Mexico, March 3, 1825.

Francisco de Paula Tamariz.

The Most Excellent Don Lucas Alamán, Secretary of State for Interior and Foreign Affairs.

Office of the Secretary of Interior and Foreign Affairs.

The Most Excellent President of the republic has been informed by the official letter from Your Excellency of the 3rd of this month that within a very few days you will present the plans and regulations which you are formulating for the creation of a company for direct trade with Asia, and His Excellency awaits the presentation of these documents before doing whatever his powers will permit in support of the project and for its promotion. I give Your Excellency this reply for your information.

May God guard you many years.

Mexico, March 25, 1825

Alamán

Señor Intendent, Don Francisco de Paula Tamariz.

Most Excellent Sir:

In the supreme order dated last February 26, which Your Excellency was pleased to communicate, I noted that the government will extend all the aid and protection in its power to the company or to individuals who enter the undertaking of direct trade with Asia from the California region, with Monterey, the capital of the territories, as the central point. I am therefore to propose the means for carrying this project into effect.

With this understanding, I have considered that the most effective means for realizing the above aim are all those stimuli to individual interest which will encourage the formation of a company, the gathering in of shareholders, supported by the public announcement of the enterprise through the press, with information as to the benefits which should come from the protection hoped for from the supreme government and already promised, and from the profitable arrangement which the company can make to assist its establishment, without going further than is compatible with the circumstances and powers of the said supreme government.

But, since I doubt that I will be permitted to make this demonstration to the public and promote the sale of stock, I beg that Your Excellency will please to bring what I have explained to the consideration of the Most Excellent President, so that if no difficulty presents itself I can proceed with the assurance that I am not working in opposition to his just intentions.

May God guard you many years.

Mexico, April 8, 1825.

Francisco de Paula Tamariz

The Most Excellent Secretary of State for Interior and Foreign Relations.

Office of the Secretary of Interior and Foreign Relations.

I have laid before the Most Excellent President, the official letter from you of the 8th of this month, in which, after indicating the means which you believe will be effective for bringing into existence the trading enterprise with Asia from the California region which you have projected, you ask if you will be permitted to promote the sale of stock by means of the press. His Excellency is pleased to state that you are to present the plan for the company, and when this has been approved by the government you will be able to proceed with its publication and with the collecting of the funds needed for the completion of the said enterprise: I send you this communication for your information and for your subsequent purposes.

May God guard you many years.

Mexico, April 15, 1825.

Alamán.

Señor Don Francisco de Paula Tamariz.

Most Excellent Sir:

In conformity with the superior order which it pleased Your Excellency to send me in your official letter of April 15, last, I have the satisfaction to present to you the plan which has resulted from the memorandum, and the regulations proposed for the erection of the Asiatic-Mexican Commercial Company, the documents for which are also inclosed.

Contrary to my desires I have not done this before, because my association with the licentiate Don Pedro Dionisio Cárdenas, whose purpose I explain in the indicated memorandum, led us, with an unavoidable delay, to give greater scope, order and clarity to the ideas which Your Excellency first expressed.

Far from flattering ourselves because of our labors, we only ask as a reward for them, if they merit one, that before Your Excellency brings them to the attention of the supreme government you purify them with your fine political elucidation of the defects which you observe in them, defects which are certainly worthy of being excused because of the good intentions of our labors for the welfare of the nation, the only object of our patriotism. We ask that you let us know the result with as little delay as possible, so that if the plan is approved, we may proceed as *empresarios* to the operations which the projected regulations explain.

God and liberty.

Mexico, August 18, 1825.

Francisco de Paula Tamariz

The Most Excellent Don Lucas Alamán, Secretary of State of Interior and Foreign Relations.

Mexico, September 2, 1825.

Report from the California Junta—Alamán

Junta de Fomento de Californias.

Most Excellent Sir:

This junta has examined with great satisfaction the project presented in its session relative to the establishment at Monterey of a company for direct trade with Asia across the Pacific Ocean, to be called the Asiatic-Mexican Company, protector of the development of the California peninsula.

In this project the junta has sought, in works of profound wisdom and great political views, the means by which those establishments may be carried to the peak of greatness, bringing to the inhabitants a happy well-being, to the end that they may assure to the Mexican republic the peaceful possession of a peninsula which is going to be coveted by the European powers, and perhaps even invaded over a border already being prepared by military measures for invasion and retention, involving us in a short time in a disastrous war.

This climax of evils nevertheless can be avoided in time if this sole means of salvation is adopted, because in a short space of time its woods will be seen converted into fertile prairies, its savage inhabitants into enlightened men, and its beaches into populous cities, flying from their towers the banner of the cross, under which alone men can be happy and truly free.

Experience has taught that by virtue of these measures, the new world has in a century changed the aspect of man, and has come to rival the old world in the sciences, arts, and commerce; and, what is more flattering to the human race, it has become the home of the liberty lost in Europe, the asylum of every one in distress for having defended his rights when they were trampled by a barbarous order of conquest, by infamous feudalism, or by religious persecution; and, finally, through the immemorial possession of kings of the ruling power over their peoples, as if they were hordes of beasts from another world or lost beings. The editor of *Abate Reinal* [*sic*],[97] that is to say, the Duke of Almodovar under the anagram of Edward Malo de Luque, in his overseas establishments has demonstrated to us with complete clarity, even in detailed analysis, this important truth running through the history of the said establishments.

England would not have been compensated for the loss of her North American colonies, freed 50 years ago, if the commercial companies she planted in India with the same motives had not given their commerce almost exclusively to her, as well as the dominion she was actually able to exercise over 30,000,000 of men in that one part of the globe alone.

Such are this junta's reasons for evaluating the project which has been presented, as the only source of the prosperity it desires for the California peninsula, which is in turn to flow into the Mexican republic, raising it to the highest and most pleasing prosperity.

From such motives the junta has resolved to remit to Your Excellency the said paper, so that it may soon be printed at the national printing office and circulated, that the politicians, when they have considered it, may present through the periodical press the reactions which seem to them to be justified, thus giving the project the clarification it deserves as it moves toward realization. At the same time, as many speculators in Europe as well as in America become convinced of its value, it will serve to accelerate the collecting of the funds needed by the company. Finally, the junta will have to revise the project; and your Excellency, having heard the opinion, can send it to the chambers, effectively recommending its approval because of its value.

May God guard you many years.

Junta de Californias, Mexico, October 20, 1825.

José Mariano Domínguez.

Office of the First Secretary of State, Section of Government.

By your official communication of October 20, last, the Most Excellent President has been informed of the suggestions made by the California junta as to the advantages to the territory which should follow the establishment of a company for direct trade across the Pacific with Asia, with Monterey as the center; also of its explanation of the advantages of having the said project printed and circulated. In view of all this, His Excellency directs me to tell you that the junta should proceed to revise its statement of the project, as it has offered to do, before it is presented to the public, so that the decision to be formed concerning it may be in keeping with the maturity and judgment which the government desires in all its actions. This is the reason he has seen fit to hear the opinion of the junta in this matter; and he hopes it will manifest, throughout, the preference for the public interest which you have suggested in your official communication, to which I am replying.

May God guard you many years.
Mexico, November 5, 1825.
G. Pedraza.[98]
To the President of the Junta de Californias.

Junta de Fomento de Californias.

The committee[99] has seen and has carefully examined the project for the establishment of a company for direct trade across the Pacific with Asia, the center of which should be Monterey, capital of upper California, which project was presented to the Most Excellent President of the United Mexican States by Don Francisco de Paula Tamariz and Don Pedro Dionisio de Cárdenas; and the committee has had the satisfaction of finding in this scheme the easiest, and it may be the only means, or at least the most effective for protecting, populating and cultivating those valuable territories, providing at the same time a fruitful source of prosperity for the entire Mexican nation.

The committee feels that it would be dimming the lustre of the junta if it were to enlarge on the advantages which these great commercial enterprises should bring to the republic, enterprises which seem to be inspired by nature's habit of lavishing on some regions what is scarce or denied to others, so that the harmony and intercourse which should reign among men might be maintained. In every country the surplus production would otherwise be left to perish without being used; with the result that the inhabitants would lack the commodities which foreign climates and their own industry could procure for them. Without commerce the treasury would see the income from taxes greatly reduced, competition would lack stimulation, and millions of arms would beg in vain that their strength might be used.

No people have ever been powerful or rich without commerce; on the other hand, no people have ever undertaken it with success without coming to the peak of abundance and glory. But we must not hope for great results with small expenditures. Neither small investments nor small efforts will be sufficient; and, say what you will against the establishment of companies in nations in which there are not many rich proprietors, they are indispensable to those which do not yet count among their citizens merchants capable of competing with the famous houses of Europe. In these nations it is imperative that the union of many shall undertake what each alone is unable to carry; otherwise the flow of goods will make the fortune of some families, but will add little to the wealth of the nation: and if to this it is added that the proposed company excludes none—no matter how far he may be from its center—from the business to which they wish to dedicate themselves, it will be seen that this project is not subject to the disadvantages which some economists think they find in similar associations.

With equal ease can be demonstrated the suitability of the place selected for the enterprise. The fertile and healthful coasts of the Californias, the abundance of all the necessities found there almost without an owner, and above all its advantageous position for trade with Asia, indicate that Monterey should be the center for this trade. The choice should be made quickly because of the friendly relations which England is developing with the S. Duwich [Sandwich] Islands, the progress of the North American towards the acquisition of the Columbia River, and the nearness of the Russians. These facts should make us fear that those nations will seize the trade of Asia with the Americas, if we do not appropriate to ourselves beforehand the commodities which make attractive to us the possession of that peninsula which is situated opposite Asia, and which is certainly the best point of distribution in all directons of those goods whch all the civilized world covets.

Nor, in the opinion of the committee, does the lowering of taxes which is requested constitute an obstacle, because the considerable increase of immigrants and the creation of factories by the company, will, at least in large measure, compensate for the loss; and the latter will be nil when the costs which the treasury had to spend in bringing in immigrants, armaments and the rest (which it offers without charge) are computed, the nation being greatly the gainer in the security and defense of the provinces, to the possession of which other powers have aspired and will aspire. Defense will be promised with the building of yards[100] to construct the ships needed by the company, by which means there will be in a short time a marine department, asserted necessary by the Spanish government and by the junta,* and which, without this investment, would be difficult and costly. So, with the settlement and consequently with the cultivation and development of the Californias—matters of the greatest importance in which the supreme government does right to show interest and diligence—it is certain that if new settlers are not enticed with tangible means and advantages, they will not

*The King has seen Your Excellency's letter of testimony, (Number 2894), which includes the extensive report compiled to make known the true state of the Department of San Blas, the transactions, opinions, plans, accounts, fiscal reports, the minutes of the board of the royal exchequer, and all the rest of the documents relative to this matter which Your Excellency has remitted: and, being fully informed of all this, His Majesty succeed in a land which, though destined to be civilized, is still undeveloped.

Reason and experience have demonstrated for many years that neither that land's fertility nor beauty, nor its many natural advantages, have been sufficient to bring population to it; these have not, in themselves, produced this result in any part of the globe. Nor can costly colonies be thought of by the nation, to which so many hindrances oppose themselves that the colonies would be left to fall by themselves, hindrances which will not be overcome unless some enterprise like that of the present project undertakes that which is given neither to individuals nor to the government.

The committee, because of all this, accepting the fundamentals set forth in the explanatory section of the said project, and repeating what the junta has already said in its instructions to the political chief, holds:

1. That the *empresarios* are worthy of public gratitude.
2. That the junta shall strongly recommend the project, with the explanations which have now been made, and in the present form, as most beneficial to the prosperity of the nation and the most suitable means for satisfying the ends for which it was begun; except for the revisions and improvements which the insight and wisdom of the supreme powers may consider suitable.

Mexico, December 14, 1825.
Servando Teresa de Mier
Carlos María de Bustamante
Pablo Vicente Solá
Isidro Icaza

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approves your opinion that no change is to be made in the said Department of San Blas, during the interim in which the count of the total population is to be taken; and then the people are to be moved temporarily to Acapulco until they can be established in another port, more healthful and suitable than those discovered in northern California.

I call the attention of Your Excellency to the royal order of His Majesty so that as quickly as possible you may carry these matters to completion.

May God guard you many years.

El Pardo, January 9, 1777.

José de Gálvez, Viceroy of New Spain.

*Publication of the junta's proceedings began in this QUARTERLY, XXIV (Dec. 1945), pp. 289-320, including Notes 1-75.

(To be continued)

NOTES*

76. *Supra*, 308. Article 9 proposed that the government reassume the administration of the temporalities of the missions.

77. It was a clearly understood principle of Spanish, and therefore of Mexican law, that the missionaries, because of their vows, were civilly dead, and therefore had no right to property. Neither had the missions as corporations any rights to the property they controlled. Theirs was only the easement or usufruct of the occupied territory. The friars stood *in loco parentis* to the Indians, who were the real proprietors of whatever lands they needed for living. In the process of becoming civilized, the Indians would learn agriculture and handicrafts, and would therefore require less land than in their wild state. This would create a surplus of land, a national domain, on which, without doing violence to the ancient laws, *gente de razón* could be settled (Frank W. Blackmar,

Spanish Institutions of the Southwest, 131; Charles Anthony (Zephyrin) Englehardt, *The Missions and Missionaries of California,* III, 638, 639).

78. The secular archives are barren, and the "Dominicans have left no account of their labors" (Bancroft, *North Mexican States and Texas,* I, 744).

79. *Supra,* 307. Article 2 proposed that the administration of the Pious Fund be placed exclusively under the supervision of the supreme government.

80. Carrillo states that there were no state subsidies for the troops in California for a period of twenty years (prior to 1831), during which time the missions used their temporalities, the fruits of Indian labor, to pay the greater part of the expenses of the military establishments (Carlos Antonio Carrillo, *Exposition Addressed to the Chamber of Deputies of the Congress of the Union . . . Concerning the Regulations and Administration of the Pious Fund,* 6). At the end of the decade (1820), the outstanding *habilitado* drafts in favor of the missions amounted to 400,000 *pesos,* which by 1824 the missionaries considered as lost, that is, uncollectable (Bancroft, *California,* II, 259, 518). In a letter to the viceroy, governor Solá stated that the indebtedness was more than 400,000 *pesos* (*Provincial State Papers,* MS., XVII, 540-542). The average annual expense for the military establishments, 1810–1820, was 89,000 *pesos* (Bancroft, *op. cit.,* II, 422).

81. See table following enumeration of Articles 1-48.

82. *Vide, supra,* 309. The first act, relating to colonization by foreigners, though originally dated April 21, 1825, was presumably transcribed on May 2 of that year.

83. The *Rancho del Rey* was maintained in connection with the presidio of Monterey, for the purpose of raising stock to feed and mount the military. Branches were established at San Francisco (*Las Pulgas,* later at *Buri-Buri*), and at San Diego. Horses were kept principally at Monterey, where at the turn of the century they totaled 6000. There were then 690 head of cattle at San Diego, 879 at San Francisco, and 1600 at Monterey. The records are somewhat fragmentary, the principal source being the *Provincial State Papers, Benicia, Military,* MS. (XIII, 1, 4; XVIII, 1, 2, 5, 7; XXIII, 3; XXV, 2, 3; XXVIII, 4, 5). The best secondary reference is Bancroft (*California,* I, 649, 682, 683, 706-708). During the Mexican period, these ranches, then known as *Rancho Nacional* or *Rancho de la Nación,* declined rapidly, their cattle almost exhausted, and the old sources of supply were well-nigh stopped (*ibid.,* I, 546).

84. From the days of Governor Fages, California seems to have been considered a penal colony for Mexico, to the embarrassment of the *hijos de país. Vide,* Bancroft (*California,* I, 605, 606), for a resume of Spanish policy. As late as 1823, the minister Lucas Alamán was still advocating the sending of convicts to California (*Memoria,* 1823, 33). For the junta plan, *vide infra,* Article 48.

85. The colonization plan for foreigners, dated April 21, 1825 (*supra,* 308-312), was evidently prepared by the same group which wrote the plan for Mexican nationals, dated May 30 of the same year. This list is the same as that appended to the missions plan (*supra,* 308), except for the addition of Ignacio de Cubas.

86. The objects of the colonization law of August 18, 1824, as given in Note 65, are those national lands which are neither private property nor belong to any corporation or pueblo, and can therefore be colonized.

87. Felipe de Neve, *Reglamento para el Gobierno de la Provincia de Californias* (San Francisco, 1929), p. 25. *Vide, supra,* Notes 13, 23, 24, 36, 50.

88. *Supra,* Note 71.

89. *Supra,* Note 72.

90. By the law of July 13, 1824, importation and sale of slaves were strictly forbidden. *Vide, supra,* Note 73.

91. To regulate the commerce with foreign nations, between the different states of the union, and with the Indian tribes. (Constitution of 1824, Sec. V, Art. 50, No. 11).

92. MEXICAN WEIGHTS AND MEASURES

Libra—1.01467 pounds.

Onza—1⁄16 *libra.*

Arroba—25.36 pounds.

Quintal—Hundred weight, or 101.467 pounds.

Fanega—A dry measure, equal to 2.577 bushels (some modern writers say 1.6 bushels).

Cuarto—¼ *fanega.*

Almud—1⁄12 *fanega* (some modern writers say ⅛ *fanega*).

From Webster, *Unabridged Dictionary*, Arts. "Measure," "Weight"; *Boletín de la Sociedad Mexicana de Geografía y Estadística*, X (1863), 195-252.

93. Statistical information on California production and prices during the period of the junta, and the hide and tallow trade, may be found scattered through Bancroft's history (*California*, II, 476, 671), and in Duflot de Mofras (*Travels on the Pacific Coast*, I, 254-257).

94. The list referred to included the following: two mares, two cows, and one calf, two sheep and two goats, all breeding animals, and one yoke of oxen or steers; one plowshare or point, one hoe, one coa (a kind of wooden spade with a metal point), one axe and one sickle, one wood-knife, one musket, one leather shield; two horses and one pack mule; besides tools and animals for the use of the community in common (De Neve, *Reglamento*, Title XIV, Art. 3).

95. After serving as provisional *Supremo Poder Ejecutivo* from April 2, 1823, Guadalupe Victoria was the first elected president of the federal republic, October 10, 1824 to April 1, 1829, thus covering the entire period of the life of the junta.

96. Lucas Alamán was Minister of Interior and Foreign Relations from January 12 to September 26, 1825.

97. *Vide, supra*, Note 20, for bibliographical note on the Abbé Raynal and his philosophical history. The Duke of Almodovar, who died in Madrid in 1794, had been Spanish ambassador at Petersbourg, Lisbon, and at the Court of St. James's. Under the pen name of Edward Malo de Luque, he translated and edited the work of the famous abbé so that it would be acceptable to the Inquisition, which had indexed the earlier French editions of the work (Art. "Almodovar," Alexander Chalmers, *General Biographical Dictionary* [London, 1812]).

98. Gómez Pedraza, son-in-law of junta member, Juan Francisco Azcárate y Lezama, and grand-master of the *Escoceses* (Scottish Rite Masons), succeeded Alamán in the post of Minister of Interior and Foreign Relations, the dates being September 27 to November 2, 1825. Since the letter was dated November 5, three days after Gómez Pedraza ceased to be minister, it is evident that he continued in the department of state in some official capacity.

99. For the list of committee members *vide infra*, 76.

100. The suggestion of José de Gálvez of 1777, that a northern California port and naval base be chosen, was repeated by Father Alonso Isidro Salazar (*Condición actual de California, 1796*, MS), who wished to see either San Francisco or Monterey so chosen (Bancroft, *California*, I, 604, Note 7). Solá wrote to García Conde, December 25, 1819, suggesting that the San Blas dockyards should be moved to northern California (*State Papers, Sacramento*, MS., VI, 25, 26).

News of the Society

Gifts Received by the Society

December 1, 1945 to February 28, 1946

BOOKS AND PAMPHLETS

From the late MR. ALBERT M. BENDER—Sandels, G. M. Waseurtz af, *A Sojourn in California by the King's Orphan, the Travels and Sketches of G. M. Waseurtz af Sandels, a Swedish Gentleman, who visited California in 1842–1843*, San Francisco, Grabhorn Press, 1945.

From MR. ROY G. BLAKEY—Kress, Lue Adams, comp. and ed., *Genealogy of the Blakey Family and Descendents . . .* 1942.

From MRS. MAE HELENE BACON BOGGS—*Oregon Spectator Index, 1846–1854*, prepared by W. P. A. Newspaper Index Project, May, 1941, 2 vols.

From MR. PAUL EDWARD BOLLIER—*Our Progressive Government: Book of Remembrance*, 1945.

From BRITISH COLUMBIA PROVINCIAL ARCHIVES—Work, John, *Journal January to October, 1835*, 1945. (Archives of British Columbia, Memoir No. X.)

From MR. RALPH H. CROSS—California State Board of Horticulture *Fourth Biennial Report, 1893–4;* Golden Gate International Exposition 1939. *Official Guide Book, 1st edition; Revised edition; Memorial and Biographical History of the Counties of Fresno, Tulare and Kern*, n.d.; Oakland Tribune, *Year Book, 1942; 1943;* Roosevelt, Theodore, *California addresses*, 1903; Tribune Publishing Co., *Alameda County, the Eden of the Pacific*, 1898; U. S. Congress, *Interstate Migration*, part 6: San Francisco Hearings, 1940; University of California, *Blue and Gold*, vol. 49, 1923; vol. 57, 1930; Wells Fargo Historical Collection, *Half an Hour in Eldorado*, 1939; Williams, John H., *Yosemite and its high Sierra*, 2d edition, 1921.

From the late MR. CHARLES H. CUSHING—San Francisco Legislative Assembly, *Minutes of Proceedings, 1849, and Proceedings of the Ayuntamiento, 1849–1850;* San Francisco, *Municipal Reports:* 1860, 1864, 1866-1867, 1869-1872, 1872-1898, 1905-1912.

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PICTURES

From MRS. MAE HELENE BACON BOGGS—Photograph of Officials of Shasta County, 1866–1868.

From SENORA JUANA SEQUIERA de CARRAL—Three Photographs: The Cliff House; The Palace Hotel (two).

From MISS VIRGINIA FITCH—Photograph: First meeting of the Stockholders of the San Francisco & San Joaquin Valley R. R. Co., February 20th, 1895. (Framed.)

From MRS. FRANKLIN HITTELL—Thirty-four early Lithographs.

From MRS. SILAS H. PALMER—Photograph: First meeting of the Stockholders of the San Francisco & San Joaquin Valley R.R. Co., February 20th, 1895.

From MR. JUSTUS M. STAHN—Photograph: Schutzen Section des San Francisco Turn Vereins, December, 1876.

From MRS. GEORGE W. TURNER—Two Photographs: New Years, Old Chinatown, before the fire of 1906; Chinatown Fish Market. (Framed.)

MISCELLANEOUS

From MISS VIRGINIA FITCH—Citizens' Non-Partisan Party, Third Convention, San Francisco, October 2, 1896. Letter to the President, George K. Fitch, Esq. Signed by 48 Associates and Friends. (Framed); Resolutions, controversy between San Francisco Typographical Union No. 21 and employes of the Call and Bulletin, by employes and members of joint chapels of Daily Morning Call, thanking the Proprietors, Messrs. Loring Pickering and George K. Fitch, adopted March 29, 1886. Signed by each member of the joint chapels. (facsimile) (Framed.)

From MRS. SILAS H. PALMER—Indenture, 16th July 1874, between James Lick and Thomas H. Selby and others and California Academy of Sciences and Society of California Pioneers. (printed form.)

Report of the Secretary

For the Year Ended December 31, 1945

In the year of Victory, the California Historical Society recorded substantial progress. Despite handicaps imposed by war conditions and postwar adjustments, this organization carried on its activities effectively, building on the foundation of achievement established in preceding years, so that its position as one of the leading historical societies in the United States has come to be well recognized.

The enthusiastic and energetic leadership of the Society's President, William Cavalier, was responsible for a large share of the accomplishment in 1945, and his death on October 26 was a very great loss. His inspiration to this Society, of which he was the honored head, will be long remembered.

MEMBERSHIP

At the time of the entrance of the United States into World War II our Society had 600 members. At the end of 1945 we have 900 members. That is the record—an increase of 50 per cent in the membership of the California Historical Society during a four-year period which in many ways was the most trying in the life of California and of our nation.

Comparing 1945 with the preceding year, the record of growth is gratifying. In all, 97 new members were elected during 1945. At the close of the year the Society had 895 paid-up memberships, 12 inactive for the duration of the war emergency, or a total of 907 memberships. Of these, 19 were patron members, an increase of 1 over 1944, and 54 were sustaining members, an increase of 5 over 1944.

MEETINGS

Eight directors' meetings were held during the year, and five luncheon meetings for the membership. The first of the luncheon meetings included the annual business meeting of the Society, with the election of the Board of Directors.

The speakers and their subjects at the luncheon meetings were:

January 26—Mr. Eric Falconer, *The Presidio of San Francisco.*
April 12—Dr. John D. Hicks, *California in History.*
June 14—Hon. Joseph R. Knowland, *Coming Centennial Celebrations.*
September 13—Dr. Lawrence Kinnaird, *Admission Day.*
November 8—Mr. Thomas Norris, *California Constitutional Convention of 1849.*

NEW DIRECTORS AND OFFICERS

The Board of Directors selected at the annual meeting were: Anson S. Blake, William Cavalier, Allen L. Chickering, Templeton Crocker, Ralph H. Cross, Sr., Aubrey Drury, Sidney M. Ehrman, Morton R. Gibbons, George L. Harding, Joseph R. Knowland, A. T. Leonard, Jr., Mrs. Alfred McLaughlin, C. O. G. Miller, Else Schilling, and Walter A. Starr.

At the first meeting of the Board of Directors after the annual meeting, the following officers were elected to serve during 1945: William Cavalier, President; Anson S. Blake, 1st Vice-President; Sidney M. Ehrman, 2nd Vice-President; Mrs. Alfred McLaughlin, 3rd Vice-President; Aubrey Drury, Secretary and Treasurer. In March, Aubrey Drury relinquished his post as Treasurer, and George L. Harding was elected as Treasurer. Following the death of William Cavalier in October, Anson S. Blake served as President.

The work of the Society's Committees has continued effectively, with plans under way for increased activity in the post-war period. The office staff of the Society has given devoted service, as reflected in the ever-increasing interest on the part of the membership and the additions to the financial and other resources of this organization.

GIFTS

During 1945, gifts of books, manuscripts, newspapers, photographs and miscellaneous items pertaining to the history of California and the West, were made by over 100 members and friends of the Society. It is encouraging to note that the number of donors in each quarter increased over the preceding quarter. From October to December more than twice as many people contributed than contributed from January to March.

All gifts have been listed in the QUARTERLY, and all are greatly appreciated. Among the gifts may be mentioned the Abrego piano and framed photographs of Don José and Doña Josefa Abrego, gift of Mrs. Francis H. Davis; the William A. Brewer collection of bookplates, gift of Mrs. William A. Brewer; the Hittell scrapbooks of clippings, gift of Mr. Franklin Hittell; four oil paintings by James Walker, gift of Mr. and Mrs. Reginald F. Walker, and three water colors of San Francisco made in 1849 by William McMurtrie, gift of Miss Theodora McMurtrie, niece of the artist.

LIBRARY AND COLLECTIONS

The Society's library has been used by an increasing number of members throughout the year. Its resources were gladly made available to several visiting scholars presenting the necessary qualifications, and reference service was rendered other libraries and institutions so far as limited personnel permitted. Members are urged to form the habit of coming in to see the library and the collections; and volunteer service, which suffered during the busy war years, again is invited as a most welcome assistance.

An estimate made at the end of 1945 places the monetary value of the library and collections of the California Historical Society at $75,000. Substantial additions are anticipated in 1946.

Respectfully submitted,

AUBREY DRURY, *Secretary*

As has been customary for several years past, the books of the Society have been audited by Messrs. Farquhar and Heimbucher. Their report for the year 1945 is on file, and a summary is printed below.

BALANCE SHEET

As at December 31, 1945

ASSETS

Cash—Commercial Account	$ 1,303.04	
Publication Fund Savings Account	2,357.75	
Library Fund Savings Account	1,272.65	
Office Revolving Fund	20.00	$ 4,953.44
Accounts Receivable—		
General Fund	4.05	
Publication Fund	1,042.06	1,046.11
Inventory of Publications		1,861.90
Prepaid Insurance		360.00
Total Assets*		$ 8,221.45

LIABILITIES

State Sales Tax Payable	$ 49.60	
Withholding Tax Payable	235.20	
Prepaid Dues	640.25	$ 925.05

FUNDS

General Fund	636.64	
Publication Fund	5,212.11	
Library Fund	1,272.65	
Cavalier Memorial Fund	175.00	7,296.40
Total Liabilities and Funds		$ 8,221.45

*Library, Collections, Furniture and Equipment are not valued on the books.

GENERAL FUND INCOME STATEMENT

For the Year ended December 31, 1945

Receipts		
Dues:		
Active Members	$ 7,685.50	
Patron Members	1,900.00	
Sustaining Members	1,325.00	$10,910.50
Contributions:		
General Purposes	66.97	
Special Purposes	20.60	87.57
Sales:		
Quarterlies		144.00
Miscellaneous Revenue		20.00
Total Receipts		$11,162.07
Expenditure		
Operating Expenses:		
Salaries	$ 4,993.75	
Rent	1,800.00	
Telephone	101.18	
Office Supplies	116.83	
Postage and Express	96.13	
Insurance	116.93	

Library Expenses	32.71	
Miscellaneous	159.29	7,416.82
Membership and Publicity		5.95
Luncheon Expenses		149.15
Exhibit Expenses		—
Quarterly Publication Costs		3,330.42
Total Regular Expenses		$10,902.34
Special Expenses:		
Equipment	—	
Purchases from Special Contributions	—	—
Total Expenditure		$10,902.34
Excess of Receipts over Expenditure		259.73
Fund Balance at Beginning of Year		376.91
Fund Balance at End of Year		$ 636.64

PUBLICATION FUND INCOME STATEMENT

For the Year ended December 31, 1945

Sales of Publications		$ 3,729.15
Cost of Sales:		
Inventory at Beginning of Year	$ 2,357.75	
Additions to Inventory	2,093.25	
	4,451.00	
Inventory at End of Year	1,861.90	2,589.10
Gross Profit from Sales		1,140.05
Selling Expense		250.40
Net Profit from Sales		889.65
Interest on Savings Account		15.65
Net Gain to Fund		905.30
Fund Balance at Beginning of Year		4,306.81
Fund Balance at End of Year		$ 5,212.11

LIBRARY FUND INCOME STATEMENT

For the Year ended December 31, 1945

Sales of duplicate books	$ —
Interest on Savings Account	12.63
Net Gain to Fund	12.63
Fund Balance at Beginning of Year	1,260.02
Fund Balance at End of Year	$ 1,272.65

Meetings

Ninety members and guests were present at the annual meeting and luncheon of the Society held on January 25 in the French Parlor of the Palace Hotel. Mr. George L. Harding spoke on "The Collections of the Society." Following a brief historical sketch, Mr. Harding described some of the unique or rare items in the larger collections, such as the Templeton Crocker, Frederick C. Clift, Alfred Robinson and Melville Schweitzer collections, and told of their part in placing the Society among the leading institutions of this country in its field. Mr. Harding brought out the fact that despite its many rare items the library is still woefully in need of many standard reference books, newspaper files, and current publications; and he issued an earnest plea to members and friends of the Society to remember this when disposing of their own books. It is to be hoped that Mr. Harding's enthusiasm and interest in the library will be not only contagious but fruitful as well.

The second luncheon meeting of the year was held on February 14 at the Palace Hotel, when eighty members and guests gathered to hear Father Peter M. Dunne talk on "The Background of the California Missions." Many were surprised to learn that the California mission system was not purely a local growth, but rather the last link in a long chain which the Jesuits had begun two hundred years earlier far south of San Diego, on the Sinaloa River. In 1591 two black-robed priests, Fathers Gonzalo de Tapia and Martín Pérez, there established the first permanent mission in a series which was not to be completed until the Franciscans founded the last of the Alta California missions at Sonoma.

In Memoriam

George Frederick Volkmann

1854–1945

George Frederick Volkmann, San Francisco business man and citizen, died at his home in San Francisco, December 9, 1945. In three more months he would have been ninety-two. He lived a happy and successful life, during which he gave generously to charity and devoted his mind and energy to civic betterment.

Mr. Volkmann was born in Bremen, Germany, February 15, 1854. He came to San Francisco when nineteen and soon became associated with Folger, Schilling and Company, food manufacturers. His uncommon ability and power of decision attracted the attention of August Schilling of that organization; and when Mr. Schilling withdrew from the firm in 1881 he and Mr. Volkmann founded A. Schilling and Company. The partnership engaged in the manufacture and distribution of coffee, tea, baking powder, spices, and flavoring extracts. At that time, according to trade practices, most of these commodities were adulterated. The farsightedness of the two partners conceived that a large future business lay in these commodities, *unadulterated;* and they were the first in their line to introduce pure goods, preceding the United States Pure Food Law of 1906 by a good many years. After Mr. Schilling's death in 1934, Mr. Volkmann continued to maintain high standards of quality in the products of the firm.

Mr. Volkmann was an ardent horseman, and at eighty-five recovered from serious injuries suffered when his horse was struck by an automobile in Golden Gate Park. A lover of Nature, he enjoyed touring the national parks of the West, especially Yosemite, Estes Park in Colorado, and the redwood country of California. He was one of the oldest members, in duration of membership, of the Bohemian Club, which he joined in November

1901, and of the Pacific Union, of which he became a member in March 1903.

Mrs. Volkmann, the former Louisa M. Daegener, died in 1932. She was the daughter of William Daegener, agent for Wells Fargo in Columbia, California, from the office's inception in 1852 until 1872. William G. Volkmann, his older son, died in March 1944. His daughter, Johanna, who survives him, lives at the family home which Mr. Volkmann built fifty-two years ago. Also surviving him are his son, Daniel G., who lives in San Francisco, and the following grandchildren and great-grandchildren:

Major William G. Volkmann, Jr., and his daughter Janelee of Piedmont; Mrs. Miles Griffin and her daughters, Pamela and Barbara Jane of Piedmont; Mrs. John Bosche of San Francisco and Ensign Daniel G. Volkmann, Jr.

Charles W. Slack
1858–1945

On December 20, 1945, Judge Charles W. Slack of San Francisco, whose career as a lawyer, teacher, and judge was closely interwoven with the legal history of California, passed away after a brief illness.

Judge Slack was a native of Pennsylvania, the son of Uriah Slack of pre-Revolution American stock, and of Catherine Straley Slack. He came with his parents to California in 1859, and was brought up at Cambria, San Luis Obispo County, where his father had a farm, and where he developed a love of country life and farming which he never lost, and which made the management of farms for his clients one of his most congenial occupations.

He entered the University of California with the class of 1879, graduating with the degree of Bachelor of Philosophy. While in college he was active in student affairs, and was on the staff of the *Occident*, the first college weekly. On his graduation he entered the Hastings College of the Law, receiving his LL.B. degree and being admitted to the California Bar in 1882. During his senior year at Hastings, Dean John Norton Pomeroy assigned him to instruct the freshman class in certain subjects, when one of the instructors resigned. Immediately after graduating from Hastings, Judge Slack began his practice of the law in San Francisco, which continued until his death on December 20, 1945, with the exception of the eight years, from 1890 to 1898, that he served on the Superior Bench in San Francisco. Thus he was active in the law for fifty-four years.

Throughout his career, Judge Slack was identified with the Hastings College of the Law: as professor from 1885 to 1901, as dean of the faculty from 1899 to 1901, as a trustee from 1903 to the date of his death, and as vice-president of the board of trustees for the last twenty-seven of these years. His love for the college was manifested in many ways, and finally in his will by the generous gift to Hastings of a magnificent law library of over 12,000 volumes, containing many priceless first editions of state reports and the complete National Reporter System.

From 1894 to 1911, Judge Slack served as a Regent of the University of California. He was a co-trustee with Charles Stetson Wheeler of the Boalt Trust, created by the widow of Judge Boalt of the firm of Garber, Boalt, and Bishop, for the purpose of endowing professorships of law at Boalt Hall on the Berkeley campus. Through the careful administration of the funds by the trustees, and by Judge Slack alone after Mr. Wheeler's death, the value of the trust was more than doubled by the time that Judge Slack turned the fund over to the university. In 1929, fifty years after his graduation, the university conferred upon Judge Slack the honorary degree of Doctor of Laws, in appreciation of his many services to the University of California and the Hastings College.

His career on the Superior Bench was marked by the great number of important and difficult cases which were assigned to him, including the Nettie Craven-Fair will contest, the Fair trust contest, and the Lucky Baldwin paternity suit, in which he narrowly escaped death when the plaintiff's sister shot at Baldwin, who was on the witness stand alongside the Judge. While Judge Slack as an advocate tried many important cases during his long career, he preferred the more constructive work of counselor for corporations and the management of family estates, where his sound business judgment and wide experience made him invaluable to his clients. He was a director of the Bank of California from 1933, and attended a board meeting at the bank only two days before his death.

Judge Slack had a valuable collection of Californiana. He was particularly interested in the career of Justice Stephen J. Field of the United States Supreme Court. He could recount in detail the story of the Broderick-Terry duel and the many aspects of the Sarah Althea Hill-Sharon litigation, culminating with the famous Supreme Court decision of *In re Nagle*, which freed the deputy United States marshal and body-guard for Justice Field who killed Terry. As attorney for the Mariposa Commercial and Mining Company, Judge Slack was most familiar with the history of Mariposa County and of the Fremont Grant; and it was at his suggestion that the company, as owner of the grant, gave many quit-claim deeds to the descendants of the original squatters, who had lived there for generations without legal title to their homes. He took great pleasure in thus giving aid to hundreds of residents on this land.

Judge Slack's historical interests extended to the privately minted coinage of the West; and prior to 1925, when he sold his collection, his was considered one of the finest in the number and value of early United States coins. The catalogue of his collection (referred to on page 373 of the December 1945 issue of the QUARTERLY) is now an item highly prized by numismatists.

Charles Slack was married in 1886 to Katherine Woolsey of Berkeley, a graduate of the University of California in 1880, to whom he had become engaged while both were students. Mrs. Slack joined the California Historical Society in 1932. After her death in 1938, her membership was transferred to Judge Slack. It has now, upon his death, been transferred to Miss Edith Slack, whose name appears among the new members in this number of the QUARTERLY. Judge Slack's second daughter, Ruth, is the wife of the writer, who had been associated in the practice of the law with his father-in-law since 1920.

In Judge Slack's death, the community lost the dean of the San Francisco Bar, who had been an inspiration to the many lawyers with whom he came in contact as teacher, judge, and practicing attorney.

EDGAR T. ZOOK

CHARLES S. CUSHING
1867–1946

The death of Charles S. Cushing occurred in San Francisco on January 7, 1946, after an illness of several months.

Mr. Cushing was born in San Francisco on December 28, 1867. His father, John M. Cushing, a member of a well-known Massachusetts family, came to California in the gold rush of 1849. His mother was Ann Kennedy Cushing, a woman of remarkable character, who came to the coast four years later, where she and her likewise talented sisters soon occupied a prominent place in the intellectual life of the Bay region. Thus, by inheritance, Charles Cushing was possessed of the finer qualities of the pioneering spirit. He attended San Francisco schools and later the Oakland High School, from which he graduated in 1884. He first made a brilliant record in banking; but feeling that the law offered the career he preferred, he studied in a San Francisco law office until 1891 when he was admitted to practice, some two years later becoming a member of the firm. He was joined there in 1895 by his brother, O. K. Cushing, and the two continued in practice together for the next fifty years.

During the practice of his profession he gave time to the work of the California Bar Association and the American Bar Association; and to him goes credit for having aided in improving the system of appellate courts in California and in initiating legislation for simplification of practice in the lower courts. For four years he was a member of the State Board of Bar Examiners.

It is a pleasure to mention his extra-professional interests, for he brought to them an enlightened attitude of mind to which he gave eloquent expression in the presidential address before the Astronomical Society of the Pacific in 1921, at the time of the presentation of the Bruce Medal to Sir F. W. Dyson, Astronomer Royal of England. Professional and lay members occupy the presidency of that society in alternate years, and as president during a "layman's year," the duty of presenting the medal fell to him. He spoke* of the backing which non-professional members of scientific societies are able to give to the cause of science. That was a quarter of a century ago; and one wonders what he would say today when science occupies such an enormous place in all our thoughts. Besides his membership in the Astronomical Society of the Pacific, Mr. Cushing was a fellow of the Royal Astronomical Society.

The agricultural sciences also interested him. He owned a ranch of some 400 acres west of Gilroy, where he could put into practice the theories that are continuously being advanced on the subject of farming and farm products, and where he could likewise enjoy the relaxation of country life.

In the field of history, his powers of organization, no less than his excellent memory, made him a valued director and president (for four terms altogether) of the Society of California Pioneers. Especially important was the work he did in arousing and maintaining the enthusiasm of the Pioneers in the field of Californiana and its preservation. To this cause he gave generously in his will. He had been a member of the California Historical Society for many years.

Mr. Cushing is survived by his wife, Anne Sessions Cushing, a woman of great refinement and judgment in matters of applied art, especially in the realm of oriental art.

WILLIAM H. GORRILL

BENJAMIN H. DIBBLEE
1876–1945

On November eleventh of last year, Benjamin H. Dibblee died from overexertion after rescuing a bird that he knew, with the wisdom of a sportsman, was in distress. This chivalry will be understood from a brief account of his life.

Mr. Dibblee, a son of Albert Dibblee—one of the leaders in the business and civic life of early San Francisco—was born in Ross, Marin County, on July 8, 1876. He prepared at Groton, Massachusetts, for Harvard, from which he was graduated with the class of 1899. During his university course he was an athlete as well as a student, having been captain of his class crew, captain of the varsity football team that defeated Yale 17 to 0 in 1898, and a member of the baseball team in 1899. For a year following his graduation, he worked in the gold mines at Grass Valley. Thereafter, until 1903, he was in the employ of the engineering firm of Stone and Webster, Boston, finding time during two of those years to serve as head coach of the Harvard football team. Mr. Dibblee then came to San Francisco and joined the staff of E. H. Rollins and Sons, investment bankers. In 1912 he was made a vice-president of the firm, with jurisdiction over its Pacific coast business.

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*His speech on this occasion is printed in full in the February 1922 number of the *Publications of the Astronomical Society of the Pacific.* [Ed.]

When World War I began in Europe, Mr. Dibblee aided in the work of recruiting in this country under the title of executive head of the Military Training Camps Association of the United States in the Western Department. He then went through military training himself, first at Monterey in 1916 and subsequently at the Presidio of San Francisco, graduating in 1917 as captain of field artillery. The next year he became executive officer of the artillery training school at Camp Zachary Taylor in Kentucky, and at the time of the armistice had attained to the rank of lieutenant colonel. As expert sportsman and colonel of artillery, he understood the responsibility connected with the handling of guns.

Upon the close of World War I, Mr. Dibblee rejoined E. H. Rollins. Like his father he was deeply interested in the growth of San Francisco. He was a director of Balfour Building, Inc., and of the Russ Building Co. which owed much to his skill in organization. His alma mater also benefited from his business acumen when he was an overseer of Harvard College from 1923 to 1929; likewise St. Luke's Hospital in San Francisco, which he served as president; and the Corporation of the Episcopal Church in California of which he was a director. He had been a member of the California Historical Society since 1941.

In 1929 Mr. Dibblee retired from active business. But retirement did not mean a less active life. On the contrary, he studied the problems of milk production and owned and operated two dairies at Planada near Merced. Besides dairying, he mastered fig growing in the same locality, and became one of the largest raisers of figs in California, with 700 acres in orchard and drying yards. After the outbreak of the last war, the crop went chiefly into supplies for American and allied troops. Thus, one of the most ancient fruits to be grown and dried by civilized man was used for his preservation in the twentieth century; and Mr. Dibblee was proud of the part his orchard was able to play in this gigantic task.

When he was a small boy in Cambridge, two friendly ladies initiated him into the wonders of botany and the love of plants. One is not surprised that in maturity Mr. Dibblee made his garden of rhododendrons and azalias among the loveliest in the country; nor that, in his concern for the preservation of the redwoods, he served the Save-The-Redwoods League for several years as a director, and had made plans to dedicate a grove to the memory of his father. With his love of plants went a great affection for animals. In retrospect, his death, after rescuing a wounded game bird, seems more in the nature of a simple, characteristic act, which he would gladly have repeated, than a final leave-taking.

Mr. Dibblee's wife, who was Miss Isabel Kittle, daughter of Jonathan G. and Harriet deWitt Kittle, and whom he married in 1905, survives him. They had no children.

NEW MEMBERS

Active

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Mrs. John Edward Cahill	San Francisco	Mrs. Gerald Kennedy
Miss Cherrie Child	San Francisco	Carl E. Melugin
William E. Colby	San Francisco	R. H. Cross
James M. Davies	San Francisco	Allen L. Chickering and C. O. G. Miller
Donald de Fremery	San Francisco	Miss E. Louise de Fremery
Philip G. Duffy	Larkspur	Membership Committee
Paul B. Fay	San Francisco	Allen L. Chickering
Roland C. Foerster	San Francisco	Allen L. Chickering and C. O. G. Miller
Miss Margery Fontana	San Francisco	Carl E. Melugin
G. E. Fullerton	Glendale	Warren R. Howell
Albert H. Gorie	Piedmont	Mrs. Wallace Alexander
Mrs. Joseph T. Grace	Santa Rosa	Mrs. Alfred McLaughlin
Mrs. Franklin Hittell	San Francisco	Mrs. Alfred McLaughlin
Robert E. Hodgin, M.D.	San Francisco	Hugh Harrell
W. H. Hutchinson	San Francisco	Warren R. Howell
Dr. Edwin Janss	Los Angeles	Dr. Donald Tresidder
George A. Janssen	Oakland	R. H. Cross
Otis R. Johnson	San Francisco	Allen L. Chickering
Charles N. Kirkbride	San Mateo	Membership Committee
Fred B. La Moine	Richmond	Carlos La Moine
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Lewis F. Lengfeld	San Francisco	Randolph R. Clement
Parker S. Maddux	San Francisco	Allen L. Chickering and C. O. G. Miller
Marshall P. Madison	San Francisco	Allen L. Chickering and C. O. G. Miller
J. Rupert Mason	San Francisco	Edgar M. Kahn
T. S. Petersen	San Francisco	Allen L. Chickering and C. O. G. Miller
Edward T. Planer, Jr.	Oakland	A. T. Leonard, Jr.
P. R. Poulsson	San Francisco	Mrs. Rogers Parratt
F. J. Reagan	San Francisco	Allen L. Chickering and C. O. G. Miller
Mrs. E. P. Schlichtmann	Oakland	R. H. Cross
Nelson T. Shaw	San Francisco	Edgar M. Kahn
Mrs. Clarence A. Shuey	Berkeley	Allen L. Chickering
Siskiyou County Historical Society	Yreka	Mrs. Rogers Parratt
Miss Edith Slack	San Francisco	Membership Committee
Mrs. Alfred Sutro	San Francisco	Membership Committee

NAME	ADDRESS	PROPOSED BY
Frank P. Swindler	San Francisco	Mrs. Rogers Parratt
Roy G. Thompson	Oakland	C. W. Skaggs
W. M. Tryon, D.D.S.	San Francisco	Morton R. Gibbons
U. S. National Park Service	San Francisco	Aubrey Drury
Stanley V. Walton	Oakland	Allen L. Chickering and Walter A. Starr
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Washington University Library	St. Louis	Mrs. Rogers Parratt

RECLASSIFICATIONS OF MEMBERSHIPS

From Sustaining to Patron

Raymond C. Force

From Active to Patron

Rudolph Schilling

From Active to Sustaining

George L. Harding
Harold C. Holmes
Frederick L. Lipman
F. J. Solinsky, Jr.
Lucy Ward Stebbins

Marginalia

Ruth Teiser, research specialist, is a graduate of Stanford University with the class of 1936. She returned for her M.A. (granted in 1938) on two annual fellowships, during which she studied particularly California history. In January of this year her article, "You Can't Keep A Good Town Down" (Columbia, Tuolumne County), was published in *Travel*. It is hoped that Uncle Sam's approval of the *Charleston* will find an echo among QUARTERLY readers.

Edgar M. Kahn is a member of the Editorial Advisory Committee of the QUARTERLY and Master of the Press of the Roxburghe Club. His researches in connection with the history of the cable car and its inventor are familiar to all who are interested in Californiana. Mr. Kahn is president of the Public Education Society of San Francisco.

Miss Virginia E. Thickens, author of the historical review of the agricultural colonies near Fresno, is a former pupil of Dr. Herbert E. Bolton. She has traveled and studied in Mexico, and is now teaching in the Sonoma High School.

Roland I. Stringham, who comments briefly on California architecture, is the great-grandson of Sherman Day, early surveyor-general of California, whose father was Jeremiah Day, president of Yale College. Clinton Day, formerly one of the well-known architects of the Bay region, was Mr. Stringham's great-uncle. Mr. Stringham is the son of Irving Stringham, professor of mathematics in the University of California, and Martha Day Stringham, both deceased.

AMONG OUR NEW MEMBERS:

George W. Baker, Jr., a member of a pioneer Nevada family, has lived in California for many years. Mrs. Baker is the former Carmen Ghirardelli, first cousin of Mr. Alfred Ghirardelli, a director of our neighbor, the Society of California Pioneers.

The name of Mrs. Arthur John Bancroft is well known to those of our members who are actively engaged in writing and collecting Californiana. Mrs. Bancroft is assistant to the director of the Bancroft Library at the University of California.

Mrs. John Edward Cahill, daughter of Mr. and Mrs. Gerald Kennedy, is one of the younger generation of the descendants of Captain Weber, founder of Stockton.

Philip G. Duffy, born on a ranch comprising a portion of George Yount's Caymus Grant in Napa County, evidenced his interest in California history as a boy by investigating an old well which had been dug by Yount's men; and by digging for, and finding, Indian beads buried on the property. He is now living in Marin County.

Paul B. Fay is continuing the paving business started by his father fifty-eight years ago. He was born in San Francisco at the old home on Grove Street. This house still stands and is occupied by his sister of musical fame, Mrs. Powers Symington (Maud Fay).

Albert H. Gorie's family has been identified with California since the arrival of his great-grandparents in 1850 or '51, his grandmother, Harriet Kelley Myers, and her sister following their mother and father *via* sailing ship in 1852.

Otis Russell Johnson is the grandson of Hon. John Conness, U. S. senator from California, a fast friend of Abraham Lincoln and one of his pallbearers, and in whose honor Mr. Conness was named. Mr. Johnson's father, Charles Russell Johnson, during the course of his lumbering operations founded the city of Fort Bragg on August 5, 1889, on the site of the deserted army post of that name.

Lewis Lengfeld, who bears the name of his great-grandfather, a pioneer of 1850, is one of the few of our members able to claim the distinction of having four pioneers of 1850 as great-grandfathers. As a consequence, he is steeped in tales of early California, ranging from Mokelumne Hill to Monterey.

Mrs. Margaret C. Laugenour, daughter of Ralph H. Cross, a director of the California Historical Society, has been teaching for several years in the Sacramento schools. Her paternal grandparents were pioneers of that region; her mother's family were pioneers of Glenn County.

Marshall P. Madison, a native of San Francisco and a graduate of the University of California Law School in 1920, is a member of the law firm of

Pillsbury, Madison and Sutro of which his father, Frank Delino Madison, was a founder.

Although Parker Maddux is a graduate of the Harvard Law School, he abandoned his legal practice to enter banking. Since 1933 he has been president of the San Francisco Bank, and has long been active in San Francisco charities and civic enterprises.

J. Rupert Mason, since his retirement from the bond business in 1926, has been engaged in the study of human relations, with emphasis on economic and sociological principles. He has contributed to the Society's library an interesting collection of materials on Henry George, the subject of Dr. Barker's article in the QUARTERLY of last June.

Edward T. Planer, Jr., is the grandson of Mrs. George Pomeroy (Anne Crandall) who lived on a portion of Rancho Alisal in Monterey County. His father's parents operated the Redwood House, an early Oakland hotel. Mr. Planer's career of school teaching was interrupted by the war, during which he served as a member of the Coast Guard.

P. R. Poulsson arrived in San Francisco in 1891 as an apprentice seaman after a voyage which lasted 156 days. The length of time gave rise to a rumor that the vessel had been lost. San Francisco—and land—looked so enticing that he promptly left the ship, and he reports that he has never regretted his choice of residence.

F. J. Reagan was graduated from Dartmouth College in 1909. With the exception of one year spent with the New York Telephone Company directly after graduating, he has been associated with the Pacific Telephone and Telegraph Company, of which he became a vice-president in 1929.

Mrs. Clarence A. Shuey is the granddaughter of Erwin J. Crane who lived in San Francisco in the fifties at Second and Folsom streets, moving to Oakland in 1862. Her father, Brace Hayden, will be remembered by many members. Mr. Hayden's father, Albert, started overland for California in 1849, but was one of the many victims of cholera en route, and was buried near Ft. Laramie.

Miss Edith Slack's four grandparents came to California in the fifties, her mother's parents being in a party of twelve families, all related. They acquired eighty acres of the Peralta Grant and settled in Berkeley, where Woolsey Street bears their name. The obituary of her father, Judge Charles W. Slack, appears on another page of the QUARTERLY.

Mrs. Emil Schlichtmann of Oakland has collected materials relating to the Mother Lode during the course of many summers. She has graciously extended an invitation to our members to view, by appointment, what she terms her "modest but interesting little museum."

Mrs. Alfred Sutro was Miss Rose Newmark, daughter of M. J. Newmark, who came around the Horn in 1853 as a youth. He was successful in the practice of the law, then went into business, devoting much of his time, besides, to civic affairs, both in Los Angeles and San Francisco. Mrs. Sutro takes over the membership of her husband, a well-known lawyer and book lover of San Francisco, who died in June 1945.

Frank P. Swindler was born in Pioche, Nevada, and during his youth worked in mines in Utah, Nevada, and Arizona. He first became interested in his avocation of the study of California history from seeing the Portola diorama and the Drake plate at the Golden Gate International Exposition.

Roy Gaige Thompson's California lineage dates back to 1847, when his grandfather, William F. Smith, settled in Monterey, following his discharge from Kearny's army. He later moved to Bear Valley, where Mr. Thompson tells us he built the first grist mill and a hotel. From Bear Valley he moved to Virginia City and opened another hotel. Both he and his wife died in the latter town.

The father of W. M. Tryon, D.D.S., arrived in California in 1850, having come across the plains. Tiring of mining, he established a hay and feed business in Sacramento, and in the 70's started what Dr. Tryon states was the first woolen mill in Sacramento. Dr. Tryon's main interest since his retirement from active practice has centered in the Jefferson-Lafayette Improvement Club and the Lowell and Boys' High School Association, of which he is secretary.

Stanley V. Walton is a member of the large and well-known Walton family of Sutter County. Since his high school days he has been a resident of the East Bay, and is at present associated with the Berkeley High School.

CALIFORNIA HISTORICAL SOCIETY

Incorporated March 6, 1886 Reorganized March 27, 1922

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The California Recollections of Caspar T. Hopkins

INTRODUCTION

CASPAR THOMAS HOPKINS, christened from the first names of his paternal and maternal grandfathers—Thomas Hopkins and Caspar O. Muller—was born on May 18, 1826, at Allegheny City, just across the Allegheny River from Pittsburgh. He was the sixth of thirteen children. His father was the Reverend John H. Hopkins, rector of Trinity Church in Pittsburgh and principal of a select school for youths of both sexes; his mother, a lady of great beauty and accomplishments, was May Melusina Muller. In 1831 the family moved from Allegheny City to Boston, where his father had been called to be assistant rector of Trinity Church under the Reverend (afterwards Bishop) G. W. Doane; and the next year, upon Reverend Mr. Hopkins being consecrated the first Episcopalian Bishop of Vermont, the family moved to Burlington, where the new dignitary took upon himself, also, the duties of rector of St. Paul's. In addition to church work, Bishop and Mrs. Hopkins conducted an institute, limited this time to educating and training boys and young men, among whom were Caspar and his brothers.

The training at the Hopkins' Institute was rigorous; industry and complete use of time were part of the curriculum. Caspar took Latin, Greek, French, music, geography (including map making), and history, and drawing and painting in India ink and water colors. Knowledge and versatility in handicrafts, Hopkins says in tribute to the school, came from the closely fitted employment of the students' time. But it was a severe system and lacked flexibility.

The usual financial difficulties that beset idealistic clergy and teachers were not absent in the fortunes of Bishop and Mrs. Hopkins and their large family; in that "land of poverty, hard work and small economies" they were indeed painfully intensified. When the time came for Caspar to go to college, although he had been working hard on the farm near Burlington where they lived and was playing the organ in his father's church at $50 per annum, it would have been impossible to arrange for a continuation of his education had it not been for the existence of a scholarship his father had the privilege of bestowing. This provided for tuition only; but by tuning pianos in Burlington, where there were some 50 or 60 such instruments but no tuner, he managed, at the rate of $1 per piano per annum, together with his organ playing at the church, to eke out the rest of his expenses. Somewhat earlier, with $12.50 earned from his work at the organ, he had purchased an old clinker-built skiff, which he proceeded to rebuild for his own use on Lake Champlain. "This boat," he says, "was my first inauguration into the mysteries of navigation, for which I always had a penchant, perhaps originating with Marryat's novels, but the knowledge whereof, supplemented later by salt-water experience, bore good fruit in laying the foundation of my successful career as a marine underwriter."

Hopkins speaks of the noble band of teachers under whom he studied at the University of Vermont and of their seriousness and earnestness, which was shared by almost all of his fellow students; but the influence of the world of business was totally ignored—a lack which made it difficult at times for former students, Hopkins among them, to understand the ways of that eccentric world. However, on descending from the Commencement stage after the formalities of graduation, he acknowledges that he felt himself armed with all of the weapons of good character, good health, good family and the very best and most varied of educations, to go forth and conquer the world.

For eighteen months after graduating he worked on the farm, in an effort to retrieve his father's fortunes. But as it brought inconsequential results, he decided at twenty-two years of age to become the editor of a first-class agricultural journal under the sponsorship of the *Burlington Free Press.* It was to be called the *Vermont State Agriculturist* and its purpose was to elevate farming practices in Vermont. Hopkins was, he tells us, "passionately fond" of farming and had made a study of its principles; he felt that the spirit of progress was abroad among the other sections of the Union, and Vermont should exert itself so as not to be left behind by the enterprise of her sister states. Later, in California, he was to call to the attention of his fellow citizens, over and over again and in other fields of endeavor, this same need for examination and re-appraisal.

But Vermont's farmers failed to support the efforts of the budding editor and the *Free Press*, and their journal lasted just seven months. What, then, should he take up—law? But law did not pay in Vermont, as it did later in the newer portions of the country. If not law, what? He felt that upon him, alone, rested the task of relieving his father's finances. Money must be made; after that, he would have time to study for a professor's chair—his "ultimate air castle."

The day he completed the details of closing his agricultural paper was New Year's, 1849. It was bitterly cold and his mare took twelve hours to pull him from his former office at Weybridge to his home in Burlington. The California fever had broken out in Vermont. His young acquaintances were beginning to join the crowds of gold seekers. As his horse struggled through the snow he made up his mind to go with them. When he reached home he settled his small-scale affairs by borrowing from his father the "prudence of an acre of oats" he himself had raised. These he threshed and hauled to town in the ox-sled. They brought in $16. He spent $9 of this at the dentist, and $1 for an outfit; and with $6 in his pocket, after "an agonizing parting with all the dear family," he started for New York en route to California.

The first reports of gold discoveries in California to reach the Atlantic seaboard in 1848 were not considered true. It was not until the publication of the famous letters addressed to the government by Governor Richard B. Mason and Thomas O. Larkin, that the public began to take the matter seriously. The immense yields of the placer mines given by these two men, as well as in letters from the new El Dorado, were printed in every newspaper in America. "The press groaned," as Hopkins expressed it, "with everything that could be learned or imagined in relation to California."

He reached New York by the Housatonic Railroad. While sitting in the train he became so excited by his thoughts that he started to whistle. An old man (who turned out to be Alexander H. Holley, afterwards governor of Connecticut) approached him from the other end of the car and said that Hopkins looked as if he were bound for California; and when he acknowledged that he was, with $1 in his pocket, the older man replied that he too had the fever, but as he could not leave his business, he was offering to furnish a few young men with their traveling expenses, on speculation, he to receive back his advances with interest, under the security of life insurance, and also one-third of the net earnings made by the beneficiary during his first two years in California. On this basis young Caspar accepted $400 from Mr. Holley, $200 under similar arrangements from Erastus Wheaton, whom he met through A. H. Gale, a piano manufacturer with whom he had once done business, and $600, without security or contract, from an uncle. Immediately he despatched $300 to his father, "little knowing," as he says, "that that sum invested in a San Francisco lot on my arrival there, would have grown into $10,000 or $15,000 in a year."

He next joined an association, the United Pacific Gold Company, which required him to hand over a few hundred dollars for supplies, tools, *etc.;* and when he at last left New York, February 24, 1849, on the new Baltimore clipper, *Isabella Reed* (Capt. Rogers, 150 tons register), for Vera Cruz, he had remaining only $300. There were some fifty passengers on board, most of whom were a "rough set, gathered from ten different nations, and representing 25 trades." The only college man besides himself was Dr. E. W. Trotter, afterwards a prominent life insurance agent, but he went only as far as Vera Cruz. The *Isabella Reed* reached that port on March 21, 1849, where a week was spent, landing tools and baggage, and buying mules, wagons and horses preparatory to the long journey across Mexico. The scenery was impressive and the road often in good repair; at other times, ten or fifteen miles of thick sand would intervene. Fleas, gnats, dust, differences in elevation, occurred in succession, but usually the historical interest of the country and the beauty of nature counterbalanced the drawbacks. They arrived at the City of Mexico on April 16, 1849. Here they rested a few days, during which the group to which Hopkins belonged sold their wagon and tools at auction at a good profit, deciding to proceed on mustangs and mules the rest of the way, lest the gold in California would have entirely disappeared before they reached it. An attack of violent fever detained Hopkins two days; but after resting he was able to overtake the others. Finally they reached Mazatlan, where he tried to buy some ready-made clothes to replace his travel-stained and torn ones, but could find nothing that would fit his "unusual proportions" (6 feet 4 inches, 175 pounds). At Mazatlan they took passage on the Danish top-sail schooner *Johanna and Oluffa* (Capt. Engers); twenty-three days of excessively crowded discomfort ensued, and then: "On the moonlit morning of June 8 at three A. M. we passed Fort Point at the entrance of San Francisco Bay and by six A. M. we had dropped anchor off what was then known as Clark's Point . . . my journey was now completed in a hundred days from New York, a remarkably quick trip for those times. Behold me at last in the land of gold, ragged, . . . badly afflicted with scurvy, and without a cent in my pocket, for which pleasure I had incurred a debt of $1200. But all this was nothing, in the enthusiasm of the moment. . . ."

The foregoing summary of Caspar T. Hopkins' life, up to the morning of his arrival in San Francisco, has been briefed from Chapters I-X of an autobiography written especially for his children. Before letting him take up the forty-year tale from 1849 to 1889, when the autobiography was completed, a few words should be said to orient the reader regarding Hopkins' place in the history of San Francisco.

Intimation has been given above of his interest in insurance as a life work. This began to take shape in 1856 with his acceptance of the sub-agency of the Liverpool and London Fire and Life Insurance Company for Sacramento and towns north. By 1861 Hopkins' experience had expanded to the point where he and Dr. Samuel Merritt could organize the California Mutual Marine Insurance Company, with Dr. Merritt as president and himself as secretary. (The words "Mutual Marine" were dropped from the name in 1864, when the company took fire risks.) Hopkins was elected to the presidency in 1866, and continued in this capacity until his resignation in 1885.

With the high moral training he had received as a youth both at home and in college, one would have been surprised to find Hopkins content to live in the San Francisco of those decades without making some effort to guide and better the community. As early as 1854 he was writing in the *Pioneer; or California Monthly Magazine* (published in San Francisco under the editorship of F. C. Ewer) on the subject of "Our Divorce Law," in which he made a plea for an understanding of the reason why the law was on the statute books—namely, to correct the thoughtless mismating that had been going on in the West—and in which he maintained that no stigma should attach to the reputation of a divorced woman. The next year he wrote for the same periodical "The Odic Force" and "Is Spiritism a Science." In these two articles he set forth the dangers of unsubstantiated hypotheses, warning his fellow townsmen against the spread, westward to their shores, of belief in the "revelations" claimed to have been experienced in 1853–55 by J. W. Edmonds and George T. Dexter, men whom Hopkins accused of possessing only a smattering of science. By analogy, he asked San Franciscans to consider whether a "wrinkled mirror" could reflect a true image. For such ordinarily tortuous subjects, his language is remarkably clear and terse.

The next decade was filled with business problems, marriage, and the growth of a family, together with trips to the East. In 1867 he made a report, entitled "Shipbuilding on the Pacific Coast," to the Board of Marine Underwriters of San Francisco. In 1869 came a booklet of seventy-odd pages, *Common Sense Applied to the Immigrant Question,* which he composed when he was president of the California Immigrant Union, and in which he urged making small farms available to California immigrants (see reference to this paper by Charles A. Barker in his article on Henry George, this QUARTERLY, XXIV, June 1945, p. 108). *A Manual of American Ideas,* a work of 382 pages to which Hopkins devoted his best talents, followed in 1871. It was a textbook on the principles of free government and moved Ex-Governor Henry H. Haight to say of it, in a letter to the author dated April 6, 1872, ". . . no boy or young man can study the book without a truer insight into the nature of our institutions and a more profound appreciation of their priceless value." On September 1, 1876, Hopkins spoke before the students of the University of California on "Business *vs.* Speculation," which was published that year in San Francisco, with 28 pages and a diagram. It was a blow aimed against gambling in stocks, with which, he said, the city was "dry-rotted." Some six years later he addressed the students again on the subject of "The Law of Happiness."

In May 1880 appeared "Crisis in San Francisco Labor," printed in the *Californian;* and in February 1881, in the same periodical, "Taxation in California"; that year, too, came a "Report on the Restoration of American Shipping in the Foreign Trade," made to the Pacific Social Science Association (of which he was the founder), and adopted by them. In 1885 he reported to a joint committee of the Manufacturers' Association, the Board of Trade, and the Chamber of Commerce of San Francisco on "Port Charges, Shipping and Shipbuilding," which was ordered printed by that body. "Shall We Educate Our Politicians?" was published in the *Californian Illustrated Magazine* in 1892.

Readers of the *Overland Monthly,* also, had the stimulus of his writings placed before them: particularly two written in the eighties, "Intellect *vs.* Influence," in December 1882, attempting to arouse public opinion against time-honored evils; and "Evil a Factor in Evolution," which won commendation from Dr. Joseph LeConte of the University of California.

A mere glance at the titles of these books and articles shows that they would have been of no use whatever had they not been preceded by research and hard work. But he had been nurtured on these requirements and throve on them. Nevertheless, the energy of the man is amazing; John S. Hittell (*The Commerce and Industries of the Pacific Coast*, San Francisco, 1882, pp. 142-45, 159-60) comments on his restless mind, independent thought, and power of investigation.

In June 1932, the *Quarterly* of the Society of California Pioneers published "A Business Expedition," being an account of Hopkins' trip to the Galapagos Islands from January 12 to May 4, 1850, on the schooner *Tremont.* A different version had appeared in the *Pioneer* (*op. cit.*, I, February 1854, pp. 97-103), with the title "A Trip to the Galapagos Islands." Although the text used by the Society of California Pioneers forms part of the present recollections, it is not reproduced here since their publications are still available. In a different category are the issues of the *Pioneer* (*op. cit.*, I, May 1854, 282-86, and June 1854, 350-55; and II, August 1854, 86-90) containing "Explorations in Oregon," by Hopkins, giving the history of the Umpqua Expedition. This is the account from which Bancroft (*History of Oregon*, II, 175-83; see footnote 8 on page 179) says that his description is partly drawn. (Bancroft, however, miscalls him "Charles T. Hopkins.") Because of the differences in the version given in the *Pioneer* and that of the present recollections, as well as the rarity of existing copies of the *Pioneer*, the account of the Umpqua Expedition from the recollections is included here.

One word about this expedition: Hopkins' enthusiasm at the beginning of the undertaking in 1850 was fed by the beauty of southern Oregon as he and his colleagues went about for three weeks selecting sites appropriate for towns. It seems to have reminded him of Vermont, for the White Mountains' term "intervale" occurs in his description. This was the country from which Jesse Applegate sent flowers, in December of the following year, to the commissioner of patents in Washington, D. C.—hollyhock, marigold, morning bride, sweet William, grass pink—to show that they blossomed even in midwinter. (Appleton's report was re-published in the *Oregon Historical Quarterly*, XXXII, June 1931, 135-44.) So that even if the "failure" of the expedition,* as Hopkins calls it, was a sad disappointment, there were mitigating circumstances, and he was not long deterred from resuming a suc-

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*Others thought differently, for example, the *Evening Picayune* of San Francisco said on September 6, 1850, after a short review of the Umpqua Expedition, that "San Francisco will not fail to appreciate the enterprise of her adventurous citizens who have brought to us such valuable information of a positive and practical character. We hope soon to derive from their own report, a better detail of the facts which they have gathered." And the *Daily Pacific News* in its October 2, 1850, edition remarks that in the Umpqua region, hitherto unknown, "a settlement is fast growing up, and business houses are being built to accomodate the demands of trade. The advertisement of Sloan, Frederick and Co., makes known more fully what they are prepared to do in this new district." *See* also Bancroft, *op. cit.*, II, 182-84; and Matthew P. Deady, "Oregon History and Progress," manuscript in the Bancroft Library, pp. 24-25. The latter wrote: "In the sumcession of other plans, with which the reader will become acquainted in the next installment of the recollections.

The editors of the California Historical Society QUARTERLY desire to thank Mrs. Myra Hopkins Taylor, now eighty-two and living in the Province of Ontario, Canada, for her most kind permission to publish the California portion of her father's autobiography. This is the lady to whom James Nisbet, one of the authors of *The Annals of San Francisco*, sent a special message, ". . . and little Myra, kiss her for me," in his letter to the Hopkins family written as the *Brother Jonathan* was sinking off Crescent City in July of 1865. The letter and the text of Nisbet's will are given later in Hopkins' recollections, but it was interesting to have it brought to the attention of San Franciscans recently by Robert O'Brien in his "Riptides" (San Francisco *Chronicle*, May 29, 1946, p. 12).

The editors also wish to thank the directors of the Society of California Pioneers and their secretary, Mrs. Helen Van Sicklen, for placing at the QUARTERLY's disposal the manuscript and papers of one of their distinguished members.

The California Recollections of Caspar T. Hopkins

I.

MY FIRST move on landing was to borrow an ounce ($16) from John Leary, the only Irishman in our company and the only man who had any money left. And all he had was two ounces. (Poor fellow, he was killed a few years later while acting as sheriff of Tuolumne County.) With this ounce I bought breakfast for two dollars at the Placer Hotel, which was a burlap tent on Sansome Street near Broadway. (And the landlord made nothing out of me, even at that price after my long starvation.) I then went shopping, and in an hour or two, dressed in a new pair of corduroy pants, six inches too short, a red flannel shirt, a straw hat, and sailor shoes, I set out to hunt up my former college mate, Frederick Billings, who had arrived by steamer about a week before. The moment he saw me, though it was four years since we separated and we were then but slightly acquainted, he called out to his bookkeeper, William H. Stowell, "Here, Stowell, is the very man we want." Then turning to me, "You can do anything, Caspar. Don't you suppose you could make a town plat from the

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mer of 1850 the Umpqua river was discovered and the discovery cut quite an important figure in the commerce of this country for the southern part of the State . . ." Vessels, he went on to say, commenced to ply into the Scottsburg area with goods. After the founding of Winchester, a trail was cut from there to Jacksonville, and all the goods from California were taken up the Umpqua via Scottsburg.

field notes of a dead surveyor, and give us half a dozen copies in a week to sell lots from?"

I replied, "Yes, if I had the books, the tools and a place to work in. Where are all these to be had?"

Stowell replied as to a place to work in, by offering me free a well furnished tent belonging to his company of fellow travelers who had all gone to the mines. It was pitched in the sand hills in what was then called "Happy Valley", *now* the block bounded by Pine, Bush, Sansome and Montgomery Streets in the very center of the city.[1] It stood close to the beach, and near it was a spring of strong sulphur water, just what my scurvy required. Billings said, "I will give you $250 for five copies of that map, if you will furnish them in a week. Go and see what you can do." I went to work at once to find materials. But the prices appalled me. Ordinary drawing paper $20 per sheet, India ink $10 per cake, camel's hair brush $1. Lumber for a drawing board $1 per foot for green rough Oregon, and for the privilege of a carpenter's bench to make it on, $1 per hour. I reported these prices to Billings, who at once added the cost to his offer for the labor on the maps, and having borrowed a case of instruments from Joshua P. Haven,[1'] afterwards my first employer in the insurance business, I went to work.

The maps were of the "paper" town intended to be called Vernon, which was laid out at the mouth of Feather River. The land belonged to Simmons, Hutchinson & Co.,[2] the first heavy commission house established in San Francisco, whose senior partner, Capt. Bezer Simmons, had married Billings' sister. This town was the earliest speculation of that speculative house, but I never learned that they sold any of the lots. I completed the contract within the week, and received my $250. My stars! didn't I feel rich. More money for a week's work than I could earn in a whole year in Vermont. I should soon be out of debt, soon be making remittances to my father, in two years could return home a rich man! So said we all in those pioneer days. We had not yet eaten of the apples of Sodom!

In the beginning of June 1849 San Francisco was supposed to contain a population of about 2500 men, a few dozen women, and no children to speak of. Nearly all these lived in tents scattered over the few blocks then laid out, or on ships. The concave line of the beach touched Montgomery Street at the corner of Jackson, and Sansome Street at California, thence sweeping out to Rincon Point where the Seamen's Home now stands. All of the 250 or more acres of solid blocks now existing below that line have been filled in since. The only part of the city then level enough to build on was comprised between Sacramento, Montgomery, Pacific and Stockton streets. There was no water to be obtained from wells, but it was peddled on mules and donkeys.[3] The population, however, was augmenting by thousands every week, sometimes thousands in a day,[4] by the arrivals of the Cape Horn fleet, and of vessels from Chile, Peru, Australia, and the Sandwich Islands; also by the crowded steamers from Panama. The overland immigation soon added other thousands. There was no government to speak of, no society; the churches were as yet in embryo, there were no schools or children to attend them. There were no fixed prices on any article, but all prices were frightfully high. Everyone was working or trading and speculating. In fact it was chaos, a seething, burning chaos, in which education and ignorance, vice and virtue, crime, gambling, drunkenness, dissipation, and murder, trade, barter, all forms of illegal currency, energy, push, business, speculation, and every other conceivable element of character, institution, passion and thought which in civilized communities are segregated and stratified in social order, were here thrown into the witches' cauldron. . . .

Whatever was the color of my spirit, I found very little that I could mingle with. How could I, with the education that I had received? I was as well calculated to win in that race as a cat to swim or a hog to skate. But I had not yet found it out. Had I not made $250 in a week?

Had I known then what I do now, and what business men knew then, I would have immediately put that money into a lot, and held on to that lot. But as it was, I had started for the mines. I could utilize José in the mines.[5] Everyone else was bound for the mines and to the mines we went. I paid $50 for our two deck-passages on a lumber-laden schooner bound for Sacramento in company with an hundred others. We took crackers, cheese and Bologna sausage for provisions, and reached Sacramento in a week, the greater part of which had been spent lying around on the bars, tracking the schooner through the "tules", or extricating her rigging from the boughs of the great oaks and sycamores that overhung that then clear and beautiful stream. At Sacramento we bought shares in a pack horse, on which we loaded our tools, blankets and provisions, all purchased at enormous prices. We walked over the hot parched plains and climbed the foothills to Auburn, 30 miles from Sacramento and about 2500 feet elevation. This was then the central point in the Northern Mines, but mining did not agree with me. A week of it was sufficient, though I averaged $7 per day at the rocker. I got the dysentery in short order from bad food and working in ice cold water and the great change in temperature between noon and night. I tried a hammock for two nights, to avoid sleeping on the ground. It was slung between two pines up the hill from the bar, on which several hundred men were berthed in the sand. The second night I was cut down by some sneak, my back striking the rocks as I fell, bruising me terribly. That closed my present desire to compete with the rough crowd about me, and as soon as I could travel, I started back to San Francisco, where I rightly deemed I could do more with my head than with my hands in the mines. I left José at Auburn to work out his salvation and his debt to me. At Sacramento I paid $16 for the privilege of pulling an oar in a whale boat for six days, on a diet of hard tack and river water, and once more penniless I landed in San Francisco, and repaired to the tent which I had made my home while drawing the maps.

In those days I could turn my hand to anything. I was a tolerable carpenter and a wheelwright, a good house painter, could tune pianos, play the organ, teach school, write for the papers, survey, run a sloop or schooner, or handle a boat. I soon got work at painting black letter signs on canvas for the tent stores all over town, and this paid me $1.50 per letter. I often earned $25 per day at it. I hired a lot 12 ft. by 30 on the east side of Kearny Street between Washington and Jackson streets for one year at $100 per month. I paid $1 per foot for some green rough lumber, sawed by hand into 4 inch strips, with which I made a frame the size of the whole lot, then sewed a bale of burlap into a tent covering for it, and at once re-rented it for $200 per month. I painted for $300 the once famous post-office, a 1½ story frame building on the corner of Clay Street and Waverly Place for Rodman M. Price, then Navy agent, since a Governor of New Jersey [1854-57], and I covered with grocery signs the old adobe that stood on the S. W. corner of Kearny and Clay streets; all this while I was doctoring for the scurvy, my legs being so much swollen below the knees that I had to bandage them tightly day after day in order to be able to move about. The scurvy finally took the form of running sores, which did not heal for many months, and whose scars are indelible.

One night a man put his head under the flap of my tent, saying, "I hear the name of Caspar Hopkins here. I want to see that Caspar Hopkins. Let him come out to the fire and show himself." I came out accordingly. He gazed at me for a few moments and continued, "You are not the man I expected to see, but you look something like him." "Pray," said I, "Who did you expect to see?" "Why," he replied, "I used to know Edward A. Hopkins at Buenos Aires, and as he was just the venturesome chap to look for here, I thought likely I should find him." "He is my brother." With that the man threw his arms about me, laughed and capered about in excess of joy. His name was James M. Ela, and his age forty years. He was originally from New Hampshire, but had been for several years in business in South America, where he became intimate with my brother, then a midshipman in the Navy. A long talk that night made us well acquainted after so singular an introduction, and resulted in a great and temporarily beneficial change in my enterprise and prospects.

Next morning Ela brought me in a handkerchief some very black and dirty samples of Chilian dried fruits, asking me if I knew anything about trade. I told him no, but thought perhaps I could learn, if I tried. "Oh!" said he, "that's the easiest thing in the world! Now I have been here a week, and I see no fruit of any kind on any of the restaurant tables. They give us nothing but stale provisions from around the Horn. People must have fruit, or get sick on such food. A fellow passenger of mine, who does not speak a word of English, has asked me to sell a ton or two of this stuff at 12½ cents per pound, and offers me all I can get over that for my trouble. Perhaps we can get 25 cents, perhaps more! Now you take half and I'll take half, and let's try what we can do."

"All right," said I, and at it we went. We sold the entire lot, beginning at 25 cents and ending at $1 per pound. Next day we delivered the goods, collected the money, and paid off the owners, and our own net profit on these two days' work was $1200 apiece.

Such was my initiation into the mysteries of trade, hitherto a sealed book to me. Intoxicated with this success, Ela and I at once went into partnership under the firm name of Hopkins & Ela. We hired a tent 12 x 20 feet at $250 per month, located on Sansome Street near Pacific alongside the Placer Hotel where I ate my first breakfast. Our landlords were E. F. Northam and W. H. Gladwin, both good fellows, still living,* and my friends ever since. We fitted up a cloth counting room in one corner where we fixed our sleeping berths, one over the other. We bought a scale to weigh gold dust, then the principal currency, and had a cigar box for a safe. We went to work with but little capital, for we needed none, but with a rousing good will, and for three months we did a rousing business, and made money; if anything, too fast, as it turned out.

Our method was as follows. As before remarked, there was no fixed market price for any article. The arrivals were so constant, every vessel bringing more or less merchandise, the Customs service so imperfect, and no arrangements yet made for reporting manifests, or for any concert of action on the part of dealers, that it was not uncommon to find a difference of one or two hundred per cent in the price of the same article in two stores right alongside of each other. There was not this difference in staple articles like pork, flour, etc., but still money was to be made in handling them. As there proved to be no demand for a thousand shipments of fancy articles, mining machinery, etc., while tens of thousands of goods of all kinds were damaged on the long voyages in the generally old ships, the shores were lined and the streets literally paved in places with such goods. I remember houses that were underpinned on boxes of tobacco, sidewalks made passable by stepping stones of barrels of flour, cement, dried apples, etc. It behooved dealers, therefore, to be extremely cautious in buying, especially as the general tendency of prices was downwards from the time of my arrival.

Our plan therefore, in which Ela instructed me, was to SELL FIRST AND BUY AFTERWARDS. Our tools of trade were a pocket diary and a boat. One of us would start out after breakfast and visit the supercargoes on board vessels in the stream seeking to fill orders of the previous day, while the other was canvassing for tomorrow's orders on shore. We compared notes at noon and at night. Ela would get an order for say 100 barrels flour at $20. I would find various lots for sale on the ships at $30, $25, $15 or $12. Of course the $12 man made us the sale, and we pocketed the $8. So with other articles. This was a beautiful business, to which we added the agency of schooners on the river (there being as yet no steamboats), which paid us ten per cent commission of $25 for each passage, and $25 for each ton of freight. And they all went full! I also accepted the promise of $1000 per year salary for playing the organ at Trinity Church[6] (Rev. Flavel S. Mines, Missionary in charge) then first organized, and I performed the service for three months, for which I never received a cent. But it seemed as if I were sure to succeed in a very short time. But I sent no money East, for its use was too valuable in San Francisco, and I fancied that by using all I made in trade I should be doing far better for Mr. Holley and my father, than by stopping interest at only 6 per cent per annum a few months sooner.

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* Northam has died since this was written. [Note added by Hopkins to the MS.]

We began business in August, and by November we had made about $20,000. Our courage waxed on such generous diet, and we became bolder in our ventures. Our last one was the purchase of $60,000 worth of provisions ex bark *Helen Augusta*, whose consignee, J. L. Crossett, is still living in San Francisco. This invoice comprised a large quantity of pork and flour each at $50 per barrel, as Simmons, Hutchinson & Co., then the leading operators, had put up a corner on these staples. But Ela had secured purchasers, as he believed, for each article on the cargo, before we agreed to take it, and we went to our berths that night jubilant over the profit of $10,000 we were sure to make on closing the transaction.

Thus far no calculations had been made on the change of weather due about this time. Hardly a soul in the city had passed a winter there. We had got so used to our regular sea breezes and dry clouds and mists, that we never thought of rain, nor of the condition to which it would reduce our cloth houses, their valuable contents, and our ungraded streets. In fact we little dreamed of the change that a heavy wet would occasion in the entire business of the country. We had "taken no thought for the morrow."

Our tent was on a hillside, and its site, like those above and below it, had been terraced about three feet high. But these earth walls had not been protected by any kind of bulkhead. On the night in question the rains descended from the southeast, our stormiest quarter, and the floods came down Telegraph Hill, and made a cross out to the sea right under our two berths.

We awoke in the bottom of a stream of cold muddy water, the tent having collapsed; and its wet canvas, clinging down over us under the weight of a first class gale, obliged us to crawl around in the mud for our clothes and get out into the storm as best we could. Almost naked, covered with mud and chilled to the bone, we found our way, clothes in hand, to a frame building close by, the only one that stood the storm, and which was soon crowded with the neighbors, all in a similar plight to our own. A bar occupied one end of the shanty. We could not lie down or sit for the press.

Everyone thought they must drink to keep from taking cold, to pay for our shelter, for every reason known or unknown to topers. Long before morning half the crowd were roaring, fighting drunk. I have seen many such scenes since, but that night it seemed as if Hell had broken loose. Not that night only, for the rain continued day after day. It seemed as if it would never cease. Of course delivery of our goods was impossible. Simmons, Hutchinson's speculation fell flat, the demand having ceased by the stoppage of all communication to the mines. Pork and flour went back to the old prices of $15. The river rose and flooded the valleys. Sail vessels could not stem the current, and the steamer *Senator* was now doing the entire Sacramento business. The city was deluged, the streets being reduced to mud holes and gulleys, so that $16 per load was charged for hauling a few blocks by six-mule teams, with drivers in rubber suits and jack boots.

When the rain at last ceased we went for our purchasers, but they all laughed at us, "Why did you not deliver the goods?" "That trade is off," etc. As we had taken no written contracts or deposits (Ela was very slack in his modes of business, and I knew no better than he) we were helpless, but Mr. Crossett demanded his money all the same. I insisted on paying him, but we were unable to pay him more than one-third of the bill, which he would not accept and deliver the goods without security, which we could not give. But Ela could not see why we were bound to Crossett more than our purchasers were to us, for neither had we signed any written contract or made any deposits. The result was an arbitration of the whole matter. Charles W. Cook, of the afterwards celebrated banking firm, Palmer, Cook & Co.,[7] the Ralstons of those days, was appointed arbitrator, who decided the case against us.

But as we were unable to pay, we compromised the matter by paying him our whole capital, $20,000, and leaving the goods in his hands! We then dissolved partnership. I had for my share when we separated just $1000 left. Had Ela been a far better business man and more honest the dissolution would have been unwise, for my friends in New York, Wheaton and Gale, as soon as they learned of the establishment of the firm, had shipped us large consignments of goods to be sold on commission, and the business, closely followed up, ought to have resulted profitably; but these goods went into other hands after the dissolution. Ela idled about San Francisco for a few months, then went to the mines and died there. For me, what next?

[Between January 12 and May 4, 1850, as described in the *Introduction*, Hopkins was away from California on a coastwise trip in quest of a cargo of sweet potatoes from Peru and terrapin from the Galapagos Islands, with San Francisco as the intended market. The results were far from satisfactory, he and partner's books showing $3,616 in the credit column against a debit of $7,366.60.]

II.

On the twentieth day of the merry month of May 1850, two seedy looking individuals might have been observed on the corner of Washington and Montgomery streets, engaged in earnest conversation. Their appearance would have justified the opinion that to neither of them had the glorious old summer of '49 been specially bountiful of its golden harvests; nor would such a conclusion have differed materially from the facts. Fellow travelers from New York, they had arrived in June of that eventful year, and had now met for the first time, after nearly a year of fruitless toil in the mines and elsewhere. Not only were they compelled to relate their respective adventures in the street, for want of the wherewithal to pay the rent of private quarters, but, if the truth be told, it must be owned that both were in that unfortunate condition which too often results from the failure of enterprises based on borrowed capital. Nevertheless, health, strength and energy were yet at their disposal, while the adventurous spirit of the times was abundantly suggestive of expedients whereby to attempt the reparation of first mistakes and subsequent "hard luck." The excitement produced by the successful expeditions of Capt. Ottinger and Samuel Brannan,[8] to whose efforts is California indebted for the discovery and settlement of Humboldt and Trinidad bays respectively, had given impetus to the spirit of exploration. The work, however, was but just begun. The activity of our population was not reflected by the government officers in charge of the coast survey, though even at that period the surveying schooner *Ewing*, under the command of the lamented McArthur,[9] was busy in the service. But seeing the pecuniary advantages that had accrued to the first settlers at the points above named and sanguine in the hope that there existed other harbors, as yet unknown, between the Columbia and Humboldt Bay, where, in a short time, trade would find its centers of distribution, our adventurers determined to anticipate Uncle Samuel, and make an effort as desperate as their own present fortunes, towards getting up an expedition for the examination of the Coast.

Those were the days of confidence. None were supposed insane enough to cheat or swindle, however easy the task, for the paths of honesty were open to all, and more certain of reward. Putting a bold face upon the matter, therefore, our projectors forthwith came out with flaming handbills to the effect that a vessel would sail shortly, on a voyage of discovery, having for its object the survey and settlement of the Klamath River,[10] then supposed to empty into the sea, in the latitude of 42° 26′, as laid down on the old charts. A company was to be formed, with a capital of $10,000 divided into one hundred shares of one hundred dollars each. Members subscribing for one or more shares were to have the privilege of accompanying the expedition, on the payment of fifty dollars extra. For the money to be thus raised, our adventurers agreed to conduct the expedition and pay all the expenses thereof for a period of two months. The inducement to subscribe was the further engagement on their part to take possession of the most eligible townsites that should be found at the mouth and head of navigation of the Klamath; the same to be each one mile square, and to be surveyed into lots and blocks, mapped, numbered, and divided by lot among the shareholders in proportion to their respective interests. If the expedition failed, no claim was to attach to the contractors for funds advanced to them. If it occupied more than the stipulated time, no charge was to be made by them for extra expenses. The inducement to accompany the expedition was the opportunity of locating in Oregon, where the organic law offered to each white, male emigrant one square mile of land, provided he took possession thereof prior to December 1, 1850.[11]

Throwing into the work of filling up the subscription and crew list, all the resources remaining in the crippled state of their funds, our friends, C. T. Hopkins and Heman Winchester, were soon in condition to report some progress at the company's office. Some sixteen or twenty names had already been affixed to the contract, when the conflagration of the 6th [14th] June laid the city in ashes and blasted at a breath the young sapling whose green leaves were just unfolding themselves to the invigorating rays of prosperity. Most of the signers were burned out and consequently left the company. The vessel that had been engaged, the *James L. Day*, finding another freight, declined the proferred charter. What was to be done? Give it up? No, no! not yet awhile. Try it another month, and then, if it fails, nothing is lost but time, and a trifling increase of indebtedness. Three more partners, Elbridge G. Hall,[12] Dr. H. J. Paine,[13] and Dr. Galen Burdell,[14] whose acquaintance was extensive . . . were taken into the concern. Another vessel was engaged and the complement of men and money soon filled up. Seventy shares were sold. Thirty-five men embarked on the schooner *Samuel Roberts*, armed to the teeth and equipped for a rough time among the mountains. One four-pound carronade with half a ton of old screws, hinges and nails, gathered for ammunition from the cinders of a hardware store, a dozen muskets, three whale boats, and small arms to each man's taste, were carefully supplied. Two surveyors with their instruments were on board, and on the first of July, after depositing the balance of the funds on hand, amounting to one thousand dollars, with the once wealthy house of Simmons, Hutchinson and Company, this redoubtable expedition put to sea. Luckily for us neither General [John E.] Wool nor United States Attorney [S. W.] Inge were about in those days, else had our piratical appearance stamped us at once with the character of filibusters.

The *Samuel Roberts* was a kettle-bottomed, dull-sailing centerboard schooner, not particularly adapted for either heavy weather or despatch. Our first adventure occurred at short notice. While beating out under double reefs, a heavy sea on the bar proved too much for our craft. She was presently found to be leaking rapidly. The sand ballast choked the pumps, and the prompt recovery of our city gentlemen from seasickness, as they worked for dear life at the buckets, was only equalled by our unwonted speed, as the vessel leaped from wave to wave in search of the smooth water of the bay. The anchorage at Saucelito was soon gained, and the leak discovered and stopped. The next day (Sunday) was spent in the somewhat undevotional task of heaving our sand ballast overboard and replacing it with stone, in order to prevent in future any danger from the choking of the pumps. This done, the ebb tide of the succeeding day carried us once more to sea, and this time in safety.

Fourteen days on a dead beat to the windward brought us at last to the latitude of Cape Blanco lying some twelve miles to the northward of our expected harbor. Here, the second land we had made since leaving port (for we sighted Cape Mendocino [lat. 40° 26′] once, looming up magnificently over a fog), bore an appearance of smoothness and fertility highly inducive to settlement, but as a ledge of black ugly rocks, whose extent and position were then unknown, seemed to guard the coast with a dangerous and most efficient *chevaux de frise*,* we dared not approach so closely as to seek a landing. Had we done so, Port Orford [lat. 42° 50′] would not have been the discovery of Capt. [William] Tichenor, who entered it in the steamer *Sea Gull*, more than a year subsequently.[15] Squaring away therefore before the wind, we ran down the coast before a ten-knot breeze, and soon found ourselves surrounded by dangerous company. Anxious not to run past the mouth of the stream, which we knew to be to the leeward, we kept so close to the shore as to find our schooner inside the reefs, which protruded their black noses now ahead, now abeam, while the man at the helm had enough to do to answer the mate's rapid and contradictory orders as fast as delivered.

As luck would have it, however, we dodged them all safely, and about noon, our latitude and the discovery of an Indian village on shore coincided in convincing us that our goal was attained. The schooner was "hove to" and a boat containing five sailors and the mate, Peter Mackie, afterwards for 30 years a successful steamer master on the coast, put off to examine the bar previous to attempting the entrance with the vessel.

[These men got into difficulties with the high surf and with hostile Indians. The crew of the schooner determined to go to their aid, and succeeded in rescuing four of the six, the bodies of the other two, not named, being found after two days and buried.]

We soon ascertained that the survivors of the boat's crew owed their safety to the rapacity of the Indians,[15′] who dragged them out of the surf for the sake of plundering them of their clothes, and that their lives would have been sacrificed had they attempted to resist the robbery. Inside the beach we found a small bay, in which we dropped anchor, but so shoal was the channel that at low tide there were but four feet of water around us. We were at once convinced that this could not be the Klamath River, but with a determination to make the most of our discovery, we resolved to explore the stream to its source, and ascertain whether or not it was Rogue's River we had entered.

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* Literally, horses of Friesland (because first used there), signifying pieces of timber crossed by iron spikes, employed as obstacles against enemy cavalry.

III.

The Rogue River tribe of Indians which in 1850 had almost undisturbed possession of Southern Oregon, though now long since exterminated, were worthy the attention of the ethnologist. They were generally about five feet tall, with low foreheads and an expression of inveterate duplicity, and were an incarnation of every savage vice. We soon had ample experience of their acquisitive tendencies. Surrounding the vessel in swarms, they lined the high rail on both sides from stem to stern, until, anticipating trouble with them, strict orders were given to allow them only one side of the vessel at a time and that not one of them should be permitted to set foot inside the bulwark. Nevertheless, they promptly exhibited a degree of skill in filching the contents of our pockets. . . . Some grabbed the cook's towels, one bit a hole in the back of the shirt of one of our men, and abstracted some beads he had placed there, so deftly that the loss was not perceived at the time. They offered their bows and arrows, their peltries, baskets full of mussels, fish and berries, in exchange for any article to them unknown. One fellow stole the eye glass of the ship's quadrant, another picked the surveyor's pocket of his note book. . . . A brisk trade soon sprung up, in which beads, trinkets, and the fire-damaged cutlery we had brought for ballast and ammunition were exchanged for the Indians' furs, mussels and berries. . . .

Those Indians all had their noses pierced with an enlarged hole, in which they suspended for ornament anything and everything that tickled their fancy. They deemed an old hinge, or door latch a graceful pendant. . . .

[The chief's feelings were hurt by one of the ship's passengers. His followers started a fray which would have ended disastrously if the leader of the expedition, Winchester, had not been equal to the moment.] Touching his cigar to the loaded carronade, on which the chief was seated, and which was crammed with a heavy charge of old screws, nails and hinges, the terrors of the explosion instantly cleared the vessel. Like so many dead men they dropped under water, swimming beneath the surface fifty yards or so, before daring to expose their black polls to the expected fire from the schooner. We cut their canoes adrift, and their owners, recovering them, reached shore with a loud whoop and betook themselves to their strongholds in the surrounding hills. . . . Our situation became more perilous than we knew, for there was not a soul among us who had the least experience in dealing with or fighting Indians . . . our safety was due to two rules of conduct: first, we treated them kindly but contemptuously; second, we were careful not to fire our guns or pistols in their presence. Had we ill-treated them, or shown them our generally bad marksmanship, they would soon have allowed their resentment and contempt of us to get the better of their fear, which, so long as our fighting qualities were kept strictly in reserve, evidently was their controlling passion. They did not know how many of them each of our revolvers could kill.

In order to complete our surveys, six men were despatched south to ascertain whether any large stream emptied into the sea between our present position and Pt. St. George [lat. 41° 47′], southward of which the coast had been more thoroughly explored. At the head of this party was Dr. E. S[R?]. Fiske,[16] an odd genius, full of enthusiasm and brandy, but a man totally unfitted to lead an exploring party among hostile Indians. He provided for each man a gun, a blanket, a bottle of brandy and two lbs. of boiled salt pork and hard tack as provisions for four days! We started at five o'clock on a lovely morning. The trail lay along the beach, lapped on the right by the foamy fringe of the broad Pacific and bordered on the left by a mantle of the richest green, thrown gracefully by the hand of untrained nature over a succession of slopes and rolling hills. . . . Grass grew breast high on the windward side of the hills; on the leeward side they were barren, and patches of the heavy firs, peculiar to this coast, occurred at intervals along our route. We travelled about 20 miles that day, excited by the scenery, but uncomfortable at the constantly increasing crowd of Indians that attended all our movements and in whose power we would be, whenever they chose to assert it; but they did not molest us. We passed an uneventful night on the sands of the beach, under a large overhanging rock.

As yet, we saw no indication of the Klamath—though our provisions would evidently not last but one more day. But our enthusiastic doctor, confident that the large stream would be visible from the top of each successive hill, disregarded all prudential hints about returning, and so we determined to follow him at all hazards. At noon, the last of our eatables was devoured; by night all the brandy was gone—the doctor having punished two of the six bottles and three others having been broken. Tired with two days of such unaccustomed exercise, over soft sands alternated with steep mountain trails, we encamped at sundown, forty miles from the schooner, in a small ravine, lined with grass breast high, and where the wind, damp with the sea fog, swept furiously. The bottom of the ravine was filled with drift-wood; but having no tools with which to cut fuel for cooking, we placed a quantity of mussels, gathered from the rocks, on an outlying log to which we set fire, hoping to secure at least this poor substitute for a decent supper. But the wind roared, the flames spread, the mussels disappeared, the whole half acre of drift-wood blazed up, lighting the country for miles around and bringing several hundred Indians around us. But to us that night, there was no fear of danger. Sentinels and all, we slept a sleep like that which knows no waking, nor was it until the Indians roused us late on the following morning that we woke to a sense of our uncomfortable condition.

How shall I describe our return to the vessel without food, with blistered feet, aching with rheumatism and sore with fatigue. It took an hour to rouse Fiske, whose sole diet for the two days having been brandy, his exhaustion was extreme. Five miles of the backward trail he accomplished with slow and feeble step and then dropped. Leaving him to his fate, for we could do nothing for him, the remaining five pressed on, but not to reach the vessel. Dr. Paine gave out about noon. After two hours rest, four only resumed the march. By next morning [Charles S.] Eigenbrodt was unable to move. At ten o'clock [P. A.] Brinsmade gave out. I stuck it out till noon and only Dr. [J. W.] Drew[17] had strength sufficient to reach the vessel and give the alarm—yet Dr. Drew was the only one on board who lay seasick the whole voyage from San Francisco and who was poisoned within an inch of his life by eating mussels a few days before. Of course a new expedition was at once despatched for the relief of the spent men, all of whom, being refreshed by a square meal and sufficient rest, safely returned to the schooner. As to the Indians, they disappeared the moment we ceased our progress into their country. They never harmed a hair of our heads!

Two more expeditions now started successively from the vessel; one of ten men marched northward along the beach, but they were stopped ten miles out by the gathering crowd of threatening Indians. Three hundred of the savages, armed and painted for war, occupied the whole width of the beach, whooping, gesticulating, aiming their arrows at our men and evidently restrained from attack only by the fear of our yet unknown power. Nathan Scholfield,[18] one of our surveyors, and a cool, Connecticut Yankee, had charge of the party, and knowing that the first exhibition of alarm would be the signal for an assault, he pushed his way through the crowd in utter contempt of their threats and grimaces and followed by his men, he laid his course for the top of a neighboring cliff. Thinking he intended a descent on one of their villages, which unknown to him lay beyond the cliff, the whole band of savages, with an infernal yell, broke around the hill to intercept him. In five minutes the beach was clear and Scholfield returned in safety to the schooner. It was thus that we failed to discover Port Orford.

An exactly similar experience attended an expedition of twenty of our men in two whaleboats up the river, which proceeded some fifteen miles against the current of a shallow stream broken by continual rapids and of course totally unnavigable. The Indians gathered after this party in larger bands than ever. It was the most risky venture of all, for we left only ten men aboard the vessel, which the savages could therefore have taken almost without resistance. They could have attacked us while entangled in the rapids and caused the loss of one or both boats, which with their contents of blankets, guns and camp equipage, would have been a great prize to them. Of course they could have killed us all, for they were fifty to our one. But we did not venture to spend that night among our questionable friends. We turned back about five o'clock, retracing in two hours our ten hours of a toilsome day's rowing against the current, and as before, the Indians disappeared the moment we changed our course—all but two, who swam after us the whole distance to the mouth of the river. As these same Indians had burned the pilot boat, *W. G. Hackstaff*,[19] the year before, and killed 19 out of a party of 20 whites who entered that region the following year, our escape from the least overt act of hostility was something truly remarkable. How did it happen?

Five days more were spent in surveying the harbor, scouring the neighboring woods, prospecting for gold (the latter in vain) and awaiting a favorable breeze with which to get out of our dangerous berth. It is needless to say that no town was laid out, as trade in such a locality was out of the question. At last a fine land breeze sweeping down stream one morning, just at high water, emboldened us to weigh anchor and make sail for sea—and gliding swiftly from the scenes of our late adventures, we soon felt once more the welcome heavings of old ocean's breast. . . .

(To be continued)

NOTES

1. It is usually held that Happy Valley lay on the south side of Market Street (rather than between Pine, Bush, Sansome and Montgomery as here given), Zoeth Skinner Eldredge, *The Beginnings of San Francisco* (San Francisco, 1912), p. 593, placing it between First and Second streets and Market and Mission. He says that the district was supplied with a good spring of water and that in the winter of 1849-50 it contained about 1000 tents. Frank Soulé, John H. Gihon, and James Nisbet, *Annals of San Francisco* (New York, 1855), p. 302, though not so specific, speak of Happy Valley as on the southern side of town "where there were many large works for the building and repairing of steam and sailing vessels." In the matter of a spring in the area designated by Hopkins, Charles P. Kimball's *San Francisco Directory* for 1850 (San Francisco, 1850), p. 121, says that Spring Street led from California to Pine between Kearny and Montgomery; but no record can be found by this editor of its having been impregnated with sulphur. Slightly north of Hopkins' "Happy Valley," was a *laguna*, fed by a stream which ambled down Sacramento Street from above the present Powell. However, as it bore the name of "Laguna Dulce," the possibility of there being sulphur in its composition seems implausible. Neither does "Laguna Salada" fit the case, being neither a spring nor in the right place to fit Hopkins' location. (*See* Eldredge, *op. cit.*, 511-12, for a list of *lagunas* in the area.) Further, it is difficult to reconcile any type of sulphur as beneficial for scurvy. The disease would respond to citrus juices, but as a young man temporarily destitute of funds could scarcely afford a lemon, even if he could find one in the San Francisco of 1849, it may have been that a dish of fresh cabbage, or perhaps of local wild greens, supplied Hopkins with the necessary ascorbutic substance.

1′. In the *Evening Picayune* of August 12, 1850, appeared this notice: "INSURANCE. The undersigned is prepared to effect insurance upon vessels, freights and cargoes, inward or outward bound. Also, upon steamboats or vessels plying upon the bays and rivers, and against fire on vessels anchored in the harbor, or goods stored afloat. J. P. Haven, Agent for the underwriters of New York, Philadelphia and Baltimore. Montgomery near California street." Hopkins has more to say of Haven later in his recollections. For accounts of Haven's life, *see* John S. Hittell, *The Commerce and Industries of the Pacific Coast* (San Francisco, 1882), p. 142; Frank Morton Todd, *A Romance of Insurance* (San Francisco, 1929), pp. 18, 22; Soulé *et al., op. cit.*, pp. 407, 428, 703. Haven was made vice-president of the Mercantile Library in January 1853, at the time that Dr. Henry Gibbons became corresponding secretary. He died in San Francisco on November 24, 1860.

2. According to Kimball's *San Francisco Directory* of 1850, the place of business of Simmons, Hutchinson & Co., commission merchants and exchange brokers, was then on the Clay Street wharf. The senior partner, Bezer Simmons, a native of Vermont, arrived in San Francisco in 1843, and died seven years later, September 26, 1850, when he was only forty, his death being hastened by tragedies in his family and the alarming condition in which his firm found itself. Fire losses hastened their insolvency. Soulé *et al, op. cit.*, p. 291. Catherine Coffin Phillips, *Portsmouth Plaza, The Cradle of San Francisco* (San Francisco, 1932), p. 179, in describing the great fire of June 14, 1850, mentions Simmons, Hutchinson's extensive premises together with those of S. H. Williams & Co. and Macondray & Co. as the "three most important mercantile houses in the city," adding that the merchandise in their warehouses was of immense value.

3. During 1850, the mayor and the common council were busy with plans for improving communications through the town, with the result that "considerable hills" were cut down and hollows filled, thus removing some of the natural irregularities of the ground. Soulé *et al, op. cit.*, p. 295. The water that Hopkins says was sold from carts in the street was of an extra quality, brought from Sausalito in tanks; but how to fight fire was becoming the first question of the day, and we find an ordinance being passed in May of 1850 which authorized the mayor to enter into contracts for the digging of artesian wells and for the immediate construction of reservoirs in various parts of the city. In June 1851 the bringing in of water from the outside through pipes was talked of. By the next year it was affirmed that there was enough water to fight fires in the many artificial reservoirs formed at the intersection of the chief streets. Eldredge, *op. cit.*, p. 594; Soulé *et al, op. cit.*, pp. 276, 341-42. However, four years later, the scarcity of water was still being regretted—purchased by the bucket it was too expensive "except for the indispensable purposes of drinking, cooking and very slight lavations." Colville's *San Francisco Directory* (San Francisco, 1856), I (1856-57), lvi.

4. *See* Doris Wright, "The Making of Cosmopolitan California," this QUARTERLY, XIX (December 1940), 323-43, XX (March 1941), 65-79.

5. José de Bedoya, a Paraguayan servant who had been brought home some years earlier by Caspar Hopkins' brother, Edward, and who was chosen by young Caspar to accompany him to California, the idea being that he would be useful and would repay his expenses from his earnings in the mines.

6. At this time Trinity Church was on Powell Street, between Washington and Jackson. Rev. Flavel S. Mines attended with somewhat "negative" results the incorrigible John Jenkins before his execution by the Vigilance Committee of 1851. Shortly afterwards Mines performed, perhaps more successfully, the same office for James Stuart. Mary Floyd Williams, *History of the San Francisco Committee of Vigilance of 1851* (Berkeley: University of California Press, 1921), pp. 211, 264 (note 37), and 269-70.

7. Palmer (Joseph C.), Cook (Charles W.) and Company were located at that time in Adobe B, Plaza, according to Kimball's directory of 1850. Colville (*op. cit.*, p. 169) says that they were established in March 1850, and in the *Evening Picayune* of August 9, 1850, is a notice advising that a specimen of silver ore is "on exhibit at the counting house

of Messrs. Palmer, Cook & Co., Portsmouth Square." The statement in *Financial California* (by Leroy Armstrong and J. O. Denny, San Francisco, 1916, pp. 46-47), that Palmer, Cook was organized in 1852 should probably be corrected to conform to the above data. Their address in 1852 was 185 Kearny Street. This bank seems to have been a rather involuntary target for appellations. Hopkins here calls the officers the "Ralstons of those days"; and a few years later, James King of William spoke of the members of the firm as the "Uriah Heeps of San Francisco bankers." Robert Glass Cleland, *History of California, The American Period* (New York, 1923), p. 299. *See* Bancroft, *History of California* (San Francisco, 1884-90), VII, 180 (esp. note 50) for the repercussions following its failure in 1856.

8. Hopkins really means re-discovery in connection with these two bays. Humboldt Bay (the Bay of Rezanoff) was discovered in 1806 by Capt. Jonathan Winship while temporarily in the employ of the Russian-American Company. It was re-discovered in 1849-50 from the land by a party of miners under Josiah Gregg, and, again, by sea, its waters being seen from the masthead of the schooner *Laura Virginia* by Capt. Douglas Ottinger in March of 1850. Some two weeks later (April 8) an entrance was effected by Capt. H. Buhne, the second officer, in a boat from the *Laura Virginia,* who shortly thereafter piloted the schooner inside the harbor, where its christening after von Humboldt took place. There is a possibility that Samuel Brannan's visit may have preceded the actual entrance of the *Laura Virginia* into the bay. George Davidson, "The Discovery of Humboldt Bay," *Publication* (not numbered) of the Geographical Society of the Pacific, San Francisco, 1891, with a copy of Tebenkof's chart, pp. 12-16; Bancroft, *op. cit.,* VI, 502; Owen C. Coy, *The Humboldt Bay Region, 1850–1875* (Los Angeles, 1929), pp. 36-48 and note 30. Two papers were read before the California Historical Society on this subject: Theodore H. Hittell, on December 12, 1889, and Professor George Davidson, on March 10, 1891.

Juan Francisco de la Bodega y Quadra discovered and named Trinidad Bay in 1775, remaining nine days. William Shaler in the *Lelia Byrd* was there in May of 1804, Kuskof in the *Kodiak* in 1808, Ottinger in April 1850. Davidson, *op. cit.,* pp. 6, 13-14 and 16; Coy, *op. cit.,* pp. 22-27, 31. *See* especially the latter, pp. 27-35, for comment on the frequent entrances by vessels into Trinidad Bay during the first half of the 1800's compared to the lapse of some 44 years (between Winship and the 1849-50 voyages) in corresponding visits to Humboldt Bay.

Samuel Brannan's explorations in this area occurred in mid-spring of 1850 in the *General Morgan,* fitted out by himself and his brother, John Brannan. A boat crew from the ship made its way up the Eel River, which they named River Brannan. Bancroft, *op. cit.,* VI, 502; Coy, *op. cit.,* pp. 47-48. Brannan's possible entrance into Humboldt Bay in advance of the *Laura Virginia* has been mentioned above (Coy, *ibid.,* p. 48, note 30).

9. For an account of Lieut. Wm. P. McArthur's work in charting the west coast, see *Annual Report* of the Superintendent of the Coast Survey, 32nd Cong., 1st sess., S. Doc. 3, pp. 82 and 509-11, where it is said that his "name must hereafter be identified with the western coast as its most distinguished and useful explorer." He died on his way back to Washington, D. C., December 23, 1850, as the *Oregon* was entering the harbor of Panama. *See* also Henry R. Wagner, "George Davidson, Geographer of the Northwest Coast," this QUARTERLY, XI (December 1932), 300-301.

10. The "gold bluffs," below the mouth of the Klamath River, were discovered in May 1850 and started a rush, with the object of reaping an easy harvest, or so it was erroneously thought, from the auriferous shore sand, Neptune having already performed the usual preliminary "washing." The "gold bluff sensation," as it was called by the anonymous writer of the series, "My Adventures in the Far West," which ran through several issues of the London periodical, *The Leisure Hour,* during 1862, died hard. The writer

of the series was on a "fore-and-aft schooner," the *Rafter,* which visited the region of the Klamath and the Umpqua a month or so after the return of Hopkins' party. "We found," he said, "the gold bluff simply a *canard.*" Nevertheless, the *Pacific News,* II, No. 74 (October 21, 1850), carried on its first page a three-quarter column article, "Klamath Gold Mines, River and Town—One of the most extensive fields for speculation at present in California," which was repeated for several days. Inquirers were told to apply at Messers. Shultz and Palmer's, foot of Jackson Street. The mouth of the Klamath, which is at 41° 33′, had been examined by Ottinger (*see* Note 8, above) in the *Laura Virginia* in the spring of 1850. Ottinger reported that the stream could be entered by vessels of 50 or 100 tons and rafts of timber floated to ships, outside, where the anchorage was good (W. W. Elliot and Company's *History of Humboldt County,* San Francisco, 1882, p. 97). Klamath City, founded at the mouth of the river the same spring, was destined to be a failure because of its unapproachability, which led after a year to the founding of Crescent City (Bancroft, *op. cit.,* VI, 364-65, 502, 504).

11. In brief, the Donation Land Act of September 27, 1850, provided for the survey of the public lands in Oregon, and granted 640 acres to a married man, half of which was his wife's, and 430 acres to a single man . . . provided the grantees were white settlers or occupants of the public lands, or became residents before December 1850, and were citizens over 18 years of age (or of declared intention to become citizens). The donation embraced the land actually occupied and cultivated by the settler; and the Act provided that all sales of land made before the issuance of patents were void. Bancroft, *History of Oregon* (San Francisco, 1886–88), II, 261-63. Jesse Applegate, in "Views of Oregon" (manuscript in Bancroft Library, pp. 3-4), says that Thomas H. Benton, dictator of Missouri politics, secured election of Dr. Lewis F. Linn as his colleague in Congress, and that Benton turned Oregon affairs over to him. Linn introduced bills offering donations of land to settlers. They were introduced to mark out a policy and could not become laws at that time as the United States were not owners of the country; but subsequently they were passed in good faith by Congress. Applegate says that in passing these bills, Congress "realized the situation about as much as if it was granting lands in the moon."

12. Two E. G. Hall's are mentioned in C. W. Haskins' *The Argonauts of California* (New York, 1890), which has been rendered usable by a compilation called "Index of People, Ships . . ." made under the direction of the Society of California Pioneers (typed manuscript). It seems reasonable to suppose that the one listed on page 425 of Haskins' work, under the names of passengers of the *Northern,* sailing February 2, 1849, is the Elbridge G. Hall named by Hopkins, as P. A. Brinsmade (Haskins, *op. cit.,* p. 424), a member of the Umpqua expedition, also sailed on this ship. In Socrates Scholfield's account of the expedition ("The Klamath Exploring Expedition, 1850, Settlement of the Umpqua Valley—Its Outcome," *Oregon Historical Quarterly,* XVII, December 1916, 341), the given name is spelled "Eldridge" instead of Elbridge. Scholfield also miscalls the schooner the *William Roberts,* instead of the *Samuel Roberts.*

13. Bancroft, *History of Oregon,* II, 176 (footnote 5) lists "Dr. Henry Payne, of New York" as a member of the expedition. In this spelling he is following Addison C. Gibbs, "Notes on the History of Oregon" (manuscript in Bancroft Library) and also S. S. Mann, "Port Orford and Coose [*sic*] Bay" (manuscript in Bancroft Library), both members of the expedition. The person meant is very likely Horace J. Paine (Haskins, *op. cit.,* p. 368) as given by Hopkins. Mann, *loc. cit.,* says that Payne [Paine?] went to the Umpqua to live for two or three years. Apparently he was back in San Francisco by 1853, for his name is listed in the city directory of that year.

14. "Dr. Burdell" is mentioned by Haskins, *op. cit.,* p. 454, among those arriving on the ship *Duxbury* from Boston, sailing February 9, 1849. There are two other Burdells in

Haskins, both with the initial "G.," but without the professional title of doctor. Zoeth Skinner Eldredge, *History of California* (New York, [1915?]), IV, opp. p. 476, gives a portrait of Burdell and a biographical note, saying that he reached San Francisco August 22, 1849, from Brazil, where he had gone on a vacation. *See* also Society of California Pioneers, *Records* (Archives, p. 154). San Francisco directories of the 'fifties list him as Galen Burdell, dentist, office on Clay Street. Scholfield, *op. cit.*, p. 341, calls him "Galen Burdett."

15. In June of 1851, Capt. William Tichenor put in at a small bay, about eight miles south of Cape Blanco, which had been "previously visited by him." Port Orford is on this bay. It is said to have been "established and owned" by Capt. Tichenor, T. Butler King (collector of the port of San Francisco), and James Gamble, among others. Bancroft, *History of Oregon*, II, 193.

15'. Of these Indians, the *Tootootulnas*, Capt. Charles Wilkes, *The United States Exploring Expedition, 1838–1842*, V, 232, says: "Klamet Indians, better known as the Rogues or Rascals, which name they have obtained from the hunters, from the many acts of villany they have practised." The name has also its French rendering, *Les Coquins* (Lewis A. McArthur, *Oregon Geographic Names*, Portland, Oregon Historical Society, 1944, pp. 442-43). *See* Frederick Webb Hodge, *Handbook of American Indians North of Mexico* (Washington, D. C., 1907–10), II, 857-58, for discussion of this Athapascan tribe, the Tututni.

16. Dr. E. R. Fiske is listed in Haskins, *op. cit.*, p. 495, as a passenger of the ship *Leonore* from Boston, February 3, 1849. Gibbs, *op. cit.*, p. 2, calls him Dr. Eugene R. Fiske. Bancroft, *op. cit.*, II, 176, note 5, speaks of "Dr. E. R. Fiske, of Massachusetts" as a member of the Umpqua Expedition. "E. R. Fisk," spelled without the final "e," is listed in Haskins on page 457.

17. "Dr. J. W. Drew, of New Hampshire" (Bancroft, *loc. cit.*) remained at Umpqua City as Indian agent, an office he held for many years, and subsequently became collector of customs and then inspector. Bancroft, *op. cit.*, II, 181 (note 12). Gibbs, *op. cit.*, refers to him as "Dr. Joseph W. Drew."

18. Socrates Scholfield (spelled *Schofield* consistently by Bancroft), in his account of the expedition, mentioned above in Note 12, deals principally with the experiences of the party under his father, Nathan Scholfield, which had been sent out to travel up to and around Cape Blanco. After their return to the *Samuel Roberts* (which he calls the *William Roberts*), he takes up the story of the ship's journey to the head of navigation on the Umpqua. Scholfield adds many names to the incomplete roster of the members of the expedition. Differences in the spelling of some of the names as given by this author and those used by other sources are pointed out in the notes on these persons.

19. In a footnote on page 351 of Hopkins' account of the loss of the *Hackstaff* in Volume I of the *Pioneer* (June 1854), he says: "The pilot-boat, *Wm. G. Hackstaff*, from Astoria for San Francisco, attempted to enter Rogues River for water, in September, 1849. She was lost on the bar, and burned by these Indians; her crew escaped, however, and arrived at Fort Umpqua after eighteen days of horrible destitution in the mountains. We found here her yawl, her scuttle, and a part of her bobstay. The chain plates had been made into knives by the savages, who rubbed them on stones till reduced to the necessary thinness." Bancroft, *op. cit.*, II, 191, footnote 36, calls it a "fine pilot-boat, the *Wm. G. Hagstaff*, commanded by a New York pilot, Capt. White, who was on his way to the Columbia." (*See* Note 36, below, for mention of Capt. White.) The rest of the account Bancroft takes from Hopkins, as quoted above, but he adds: "The *Hagstaff* was robbed and burned, her place being supplied by another boat called the *Mary Taylor*." Socrates Scholfield, *op. cit.*, p. 347, mentions an iron chain of about 100 lbs. weight, being the bobstay, supposedly, of the *Hackstaff*.

California's Day-Book

By John A. Hussey

Editors' Note. We are now entering a half-decade of centennial celebrations designed to commemorate the events that occurred during the transformation of the outlying Mexican province of Alta California into the thirty-first member of the United States. In those days occurrences followed each other so quickly that the people often became confused. A man would be discussing a certain idea with his neighbor when along would come a courier saying that the event, to which their idea might have given rise, had happened several days ago. Which, then, came first? Did ideas cause the events of the mid-1800's, or did the events come first and thinking afterwards? Even now, after a hundred years, it is difficult not to be somewhat disturbed about one's own understanding of the sequence of thought and act. Accordingly, to assist those of its fellow-citizens who at times confess to a similar predicament, the California Historical Society requested Mr. John Hussey to prepare an approximately day-to-day account of some sixty months in the life of the state, namely, from January 1, 1846, to December 31, 1850. Entries for the four months June–September 1846, appropriate to the present centennial, appear below. It is hoped to have the day-book for the whole of 1846 ready in the form of a pamphlet by autumn of this year, to be followed in the coming December by a similar edition for 1847; the series to be continued through 1850 in such a manner that the pamphlet for the year in question will be issued in advance of that year. The plans include also the publication of the entire series in book form. Criteria for the choice of items have been the reliability of the source material and the interest in the events themselves, first as news and secondly as factors in the events that followed.

JUNE 1846

June 1 The U.S. sloop of war *Portsmouth*, Commander John B. Montgomery, sailed from Monterey for San Francisco Bay to protect the persons and property of American citizens.

Lt. Archibald H. Gillespie left New Helvetia for Yerba Buena in Sutter's launch to secure supplies for Capt. John C. Frémont's exploring expedition, then camped at the Marysville Buttes and preparing to return to the United States.

Father Narciso Durán, governor of the diocese of California, who had come to the province in 1806, died at Santa Barbara. His forty years of labor in California were divided between two missions—San Jose from the time of his arrival to 1833, and Santa Barbara from 1833 until his death. The spiritual successor of Serra, Lasuén, and Payeras, Durán had served three terms as father-president of the Franciscan missions.

June 3 Col. Stephen W. Kearny was informed by Secretary of War William L. Marcy that it had "been decided by the President to be of the greatest importance, in the pending war with Mexico, to take the earliest possession of Upper California." Kearny was ordered to organize a military expedition and, at its head, to proceed overland from New Mexico to California, to establish temporary civil governments in such areas as he might conquer and to "assure the people of those provinces that it is the wish and design of the United States to provide for them a free government, with the least possible delay, similar to that which exists in our territories."

The Departmental Assembly, meeting at Los Angeles, authorized Governor Pío Pico to take such steps as might be necessary to "save the country" —a polite phrase to describe the raising of troops to remove forcibly from office his political rival, *Comandante General* José Castro, of Monterey.

June 5 General Castro, visiting in Sonoma, obtained arms and ammunition from Col. Mariano G. Vallejo for a small party of soldiers traveling from Sonoma to Santa Clara via the Sacramento River as escort for a herd of about 170 government horses, intended as mounts for troops being raised to resist the threatened invasion from the United States. Castro undoubtedly expected by this move to strengthen his position in his quarrel with Governor Pico.

June 6 Frémont, evidently convinced that Castro was about to attempt the expulsion of all foreigners illegally present in California, sent messengers from his camp at the Marysville Buttes to advise American settlers to organize for their mutual safety.

June 8 Commodore John D. Sloat, commander of the United States naval forces in the Pacific, sailed from Mazatlan in the U.S.S. *Savannah*, in pursuance of orders, dated June 24, 1845, that he occupy the ports of California in the event of war between the United States and Mexico.

June 9 About a dozen foreign settlers led by Ezekiel Merritt left Frémont's camp, then at the junction of the Yuba and Feather rivers, to seize the horses Castro had ordered brought from Sonoma to Santa Clara under guard of six or eight men, commanded by Lt. Francisco Arce and Lt. José María Alviso.

June 10 Merritt's party, increased to about fourteen men, attacked Arce's command at dawn at the ranch of Martin Murphy, Jr., on the Cosumnes River, near the crossing of that stream by the present U.S. Highway 99. The Californians, completely surprised and making no resistance, were permitted, after a certain amount of bluster by Merritt, to continue their journey, armed and mounted, with a few extra horses claimed as personal property by one of the escort. Arce was told that if Castro wanted the remaining horses he could get them at Frémont's camp.

June 11 Merritt's party arrived with the captured horses at Frémont's camp, which by this time had been moved to the confluence of the Feather and Bear rivers. In the afternoon the party, strengthened by an additional half dozen recruits, set out to seize Sonoma, former garrison town and headquarters of Col. Mariano G. Vallejo.

June 14 At dawn, Merritt and his thirty-odd followers attacked undefended Sonoma. Colonel Vallejo, Lt. Col. Victor Prudon, and Capt. Salvador Vallejo were taken prisoner and, with Jacob P. Leese, were sent for safekeeping to Frémont's camp. Merritt's party also captured cannon, muskets, and ammunition in the old barracks, but promised not to molest private individuals nor property unnecessarily. They declared their intention of establishing a government based on republican principles, and elected William B. Ide commander. It is said to have been on this day that William L. Todd, cousin of Mrs. Abraham Lincoln, painted a flag, bearing on its field a star, a grizzly bear, and the words, "California Republic," which was adopted as the emblem of the revolutionists and hoisted on a pole in front of the barracks.

June 15 Ide issued a proclamation that the revolutionists had attacked Sonoma because of the necessity of self-defense and their desire to overthrow a "shamefully" oppressive despotism. All "peaceable and good" citizens of California were invited to hasten to Sonoma to assist "in establishing and perpetuating a republican government."

June 16 Sutter, without enthusiasm, declared himself in favor of the Bear Flag movement and agreed to "man and prepare his fort for the coming events." In the evening, the prisoners from Sonoma arrived at New Helvetia and were locked up, Frémont having refused to become involved in any way.

June 17 General Castro called upon all Californians to resist, *en masse*, the "adventurers" who, inspired by the "contemptible policy" of United States agents, had seized Sonoma.

June 20 Frémont heard that Castro was gathering troops to attack him and the settlers at Sonoma. He became convinced that armed intervention on his part was necessary in order to prevent the Californians from increasing in strength, and decided to participate openly in the Bear Flag movement.

June 22 Frémont left Sutter's Fort for Sonoma with between seventy and ninety armed men.

June 23 Governor Pico, on his way north to fight Castro, heard at Santa Barbara of the capture of Sonoma, and at once called upon his fellow countrymen to fly "in all haste in pursuit of the treacherous foe."

June 24 At Rancho Olómpali, a few miles north of San Rafael, a party of about eighteen Bear Flag men under Henry L. Ford came unexpectedly upon a force of some fifty Californians under Joaquín de la Torre. After the skirmish which followed, the Californians, having had one man killed and another badly wounded, retired from the field.

June 25 Frémont reached Sonoma with reinforcements.

June 26 With his forces increased at Sonoma to 130 men, Frémont advanced to San Rafael in search of Torre and to intercept additional forces which Castro might send across San Francisco Bay.

June 28 José Berreyessa and his twin nephews, Francisco and Ramón de Haro, en route from San Pablo with a message from Castro to Torre, were shot and killed by men of Frémont's command immediately upon landing near San Rafael. This was done in obvious retaliation for the shooting, a few days before, of Thomas Cowie and a man named Fowler, both members of the Bear Flag party, near Santa Rosa.

Through letters written expressly to fall into Frémont's hands, Torre caused him to believe that Sonoma was about to be attacked. Frémont hurried from San Rafael to Sonoma, thus leaving the Californians a clear path of retreat to Contra Costa.

June 29 Torre rejoined Castro near San Leandro, after crossing San Francisco Bay in a launch taken from William Richardson of Sausalito. All organized resistance to the Bear Flag movement north of the bay was now ended, and Castro retreated southward to strengthen his forces.

JULY 1846

July 1 After crossing the Golden Gate from Sausalito in a launch borrowed from the American merchant ship *Moscow*, Frémont and about 12 of his men spiked the cannon of the ruinous and ungarrisoned Spanish fortification, which occupied the present Fort Point beneath the southern end of the modern Golden Gate Bridge. It was probably on this occasion that the Pathfinder gave the name *Chrysopylae* or "Golden Gate" to the entrance to San Francisco Bay.

At 4 P.M. Commodore Sloat in the *Savannah* arrived off Monterey but made no move to seize the town.

July 2 About ten Bear Flag men under that "immortal long specimen of humanity," Robert Semple, appeared in Yerba Buena and captured Robert Ridley, an Englishman, who had been aiding the Californians. Legend has it that Ridley knew of Semple's approach but, having a game of billiards to finish, forfeited his chance to escape. He was carried off as a prisoner to Sutter's Fort.

July 4 Frémont and the Bear Flag men held a glorious Fourth of July celebration in Sonoma, reading the Declaration of Independence and firing a salute. In the evening a "ball" was given in the requisitioned home of Salvador Vallejo.

The Los Angeles *ayuntamiento* (town council) held its last recorded meeting under Mexican rule. Its last known act was to give Juan Domingo, the Dutch carpenter, a title to the *pueblito*—the lands on which the local Indian populace had its village.

July 5 The Bear Flag party was reorganized at a meeting held in Sonoma and a new pledge was made to carry on the fight until independence was won. Frémont became commander of the forces and the generally acknowledged leader of the movement. His party of explorers was merged with the settler forces to form the "California Battalion of Mounted Riflemen."

July 6 Frémont, at the head of about 170 men, set out for Sutter's Fort, with the announced purpose of pursuing General Castro and bringing him to battle, leaving Sonoma garrisoned by a company of the battalion under command of John Grigsby.

Commodore Sloat, deciding that he would rather be "sacrificed for doing too much than too little," finally determined to act on his orders and take Monterey. He and the American consul, Thomas O. Larkin, spent much of the day making preparations for the seizure.

July 7 At 10 A.M. boats from the *Savannah*, *Cyane*, and *Levant* started for the shore of Monterey Bay with a force of about 85 marines and 140 sailors under command of Capt. William Mervine, of the *Cyane*. At 10:20 A.M. the marines and 21 sailors were landed at the customhouse wharf, and Purser Rodman Price read a proclamation by Commodore Sloat announcing that "henceforward California will be a portion of the United States." At 10:30 A.M. the United States flag was raised on the customhouse flagpole. The flag was furnished by the *Cyane* and was actually raised by Passed Midshipman Edward Higgins and Midshipman William P. Toler. The hoisting of the flag was immediately followed by cheers afloat and ashore and by a salute of 21 guns from the *Savannah* and the *Cyane*.

July 9 Commander John B. Montgomery, acting under orders of Commodore Sloat, landed at Clark's Point at 7 A.M. to take possession of Yerba Buena in the name of the United States. His force of 70 men marched to the public plaza (the present Portsmouth Square), and at 8 A.M. the American flag was hoisted in front of the customhouse, the actual raising being performed by an unnamed quartermaster. Following a 21-gun salute from the *Portsmouth* and "three hearty cheers on shore and on board," Montgomery made a short address to the assembled populace, and Sloat's proclamation was read.

Lieut. Joseph Warren Revere, grandson of Paul Revere, was despatched by Montgomery at 4 A.M. in the *Portsmouth's* fourth cutter to take possession of Sonoma. After assembling Grigsby's forces and the citizens in the plaza, he read Sloat's proclamation, hauled down the Bear Flag, and, at noon, raised the standard of the United States on the same pole, "under a salute from the artillery of the garrison." He sent another flag to be hoisted at Sutter's Fort and still another to Bodega.

General Castro refused Commodore Sloat's demand to surrender and from San Juan Bautista announced his resolve to defend California while he could count on a single man to accompany him in "this cause which is as just as it is national"; whereupon he immediately began a retreat to southern California.

July 10 William Scott reached Frémont's camp on the American River with the flag and copy of Sloat's proclamation sent by Revere. The news was received "with universal shouts by the men," who "partook of a cup of good brandy, and sang some national airs."

July 11 At sunrise the American flag was raised over Sutter's Fort. According to Sutter, the 21-gun salute which greeted the event broke nearly all the glass in the establishment. The Bear Flag movement was by this act brought to a close.

In the afternoon Commander Montgomery had a signal pole erected "on the hill off the point of Yerba Buena," in order that notice of approaching ships and their nationalities might be "telegraphed" to the *Portsmouth*. This action appears to mark the beginning of the use of Telegraph Hill as a lookout station to report incoming ships.

Thomas Fallon, with a small force of Americans raised near Santa Cruz, entered San Jose and took possession of the town. The next day he reported to Commander Montgomery that "we are at your command."

July 12 Frémont started from the Sacramento for Monterey, leaving Edward M. Kern in "full command" of Sutter's Fort.

July 14 Thomas Fallon received a United States flag from Commodore Sloat and raised it on a pole before the *juzgado* in San Jose. On this or the previous day James Stokes assumed the office of justice of the peace at San Jose under an appointment from Sloat.

July 15 Commodore Robert F. Stockton, in the U.S.S. *Congress*, reached Monterey from the United States to join Sloat's squadron.

July 16 The Mormon Battalion, about 500 strong, was mustered into the service of the United States at Council Bluffs. The Mormons, eager to obtain transportation westward, volunteered to serve in the war against Mexico for twelve months, with the understanding that at the end of that time they were to be discharged in California, retaining their arms and accoutrements.

July 17 Frémont and the California Battalion took possession of San Juan Bautista. An hour or two later Purser Daingerfield Fauntleroy of the *Savannah* and his company of "horse marines" arrived from Monterey and raised the American flag over the settlement.

July 19 The California Battalion reached Monterey and paraded into town "two and two" with their rifles across their saddles, impressing one onlooker as being "the most daring and hardy set of fellows I have ever looked upon."

July 20 On the banks of the Little Sandy, near South Pass in the present Wyoming, several groups of emigrants banded together to form a train for the purpose of taking a reported "better and nearer road" to California. George Donner was chosen captain of the company, while his wife looked on, "gloomy, sad, and dispirited" at the thought of leaving the regular trail for the untried one ahead.

July 23 Commodore Stockton was appointed commander-in-chief of all forces and operations on land by Sloat, the appointment marking the beginning of a more aggressive policy of conquest by American authorities. Frémont and his troops on this day were taken into the service of the United States as the "Battalion of California Volunteers."

July 26 Frémont and the California Battalion boarded the *Cyane* in Monterey Bay and about 8 A.M. got under way for San Diego in order to cut off the escape of General Castro.

July 28 Walter Colton, Chaplain of the *Congress,* was appointed *alcalde* of Monterey and its jurisdiction by Commodore Stockton, but did not assume the duties of the new office until July 30.

July 29 Commodore Sloat, in poor health, sailed in the *Levant* for the United States, leaving Commodore Stockton in command of the Pacific squadron. Stockton at once issued a violent proclamation announcing his intention of marching immediately against Castro and other "boasting and abusive chiefs" who, if not expelled, would "keep this beautiful country in a constant state of revolution and blood."

The *Cyane* anchored off San Diego at noon; and, on orders of her commander, Capt. Samuel F. Du Pont, a force was sent ashore to occupy the town. At 4 P.M. the American colors were raised by Lieut. Stephen C. Rowan on the flagpole at the Old Town Plaza. Frémont and a part of his battalion landed later on the same day.

July 31 The ship *Brooklyn* bearing Samuel Brannan and his party of some 230 Mormon colonists, migrating from the United States to evade persecution by "this wicked nation," reached San Francisco. The newcomers, while clannish, were "honest and industrious" and, for a time, made San Francisco largely a Mormon town.

AUGUST 1846

August 1 Commodore Stockton sailed from Monterey in the *Congress* to capture Los Angeles.

The 7th Regiment of New York Volunteers, later to be the 1st New York Volunteers, was mustered into the United States service at Governor's Island, New York. The regiment, under Colonel Jonathan D. Stevenson, was raised expressly to be sent around Cape Horn to California, the men to be discharged there upon the expiration of the war with Mexico.

August 4 At 1:30 P.M., under orders from Commodore Stockton, a force from the *Congress* landed at Santa Barbara to take possession of the town and hoist the American flag. The actual raising of the colors was of necessity delayed until 4:15 P.M., awaiting the arrival of a studding sail boom from the *Congress* and its preparation for use as a flagstaff.

August 6 A force from the *Congress* landed at San Pedro, and at 12:25 P.M. the American flag was raised over the settlement.

August 8 Lieut. J. S. Missroon of the *Portsmouth*, sent by Commander Montgomery to reorganize the garrison at Sutter's Fort, directed the post commander, Edward M. Kern, to arrange a weekly mail service by horseback between that place and Sonoma. This order marked the beginning of the first regular mail route in California under United States rule. The service continued to operate regularly until late October or early November, when winter rains made horseback travel to Sacramento difficult. The mail from Sutter's was met at Sonoma by one of the *Portsmouth's* boats which left Yerba Buena every Wednesday morning.

August 9 General Castro, at his "Campo de la Mesa" near Los Angeles, deciding that he could do nothing more to defend California, determined to flee to Mexico.

August 10 In order that the Americans might find no active government to take over, the Departmental Assembly, meeting in Los Angeles, decided to dissolve itself; and Governor Pico, forced to choose between "ignominy and emigration," resolved to take the latter and started for Mexico.

August 11 At 2:30 in the afternoon Commodore Stockton left the *Congress* and, with a force of sailors and marines, started from San Pedro for Los Angeles.

August 12 The U.S.S. *Warren* reached Monterey from Mazatlan, bringing to the American authorities in California the first official news of the declaration of war between the United States and Mexico.

August 13 In the afternoon, Stockton's force was joined just outside of Los Angeles by Frémont and the California Battalion, who had marched north from San Diego. About 4 P.M. the American troops entered the California capital unopposed, the entry "having more the effect of a parade of home guards than of an enemy taking possession of a conquered town." A pole was erected in the courtyard of the Government House (the site of which was later occupied by the St. Charles Hotel, on Main Street) and the Stars and Stripes were raised to the tune of "Hail Columbia" played by the band of the *Congress*.

August 15 The first number of California's pioneer newspaper, *The Californian*, was issued at Monterey. The paper, a weekly printed partly in English and partly in Spanish, was published by Robert Semple and Walter

Colton from an office in the former Mexican barracks. The press and type used were those imported from Boston in 1834 by Agustín V. Zamorano, California's first printer.

Purser Daingerfield Fauntleroy and a party of his Dragoons reached Santa Cruz in search of some Indians who had been stealing horses in the vicinity. Fauntleroy called together the local citizens, read aloud Stockton's proclamation, and exhorted "all true Americans to rally to their flag." This ceremony evidently marked the first formal raising of the American colors in Santa Cruz.

August 17 Stockton, considering the conquest of California completed, proclaimed that the territory now belonged to the United States and would be governed temporarily by martial law, although the people might choose their local civil officials.

Just at sundown, as the band from the *Congress* was returning to quarters after playing for retreat, Lieut. William B. Renshaw, of the *Warren*, reached Commodore Stockton's headquarters in Los Angeles from San Pedro with word of the declaration of war between the United States and Mexico. Stockton immediately paraded his forces in the main street and had the news read to them. The troops responded with nine cheers, and the band played "The Star-Spangled Banner."

August 31 Commodore Stockton appointed Capt. Archibald H. Gillespie commandant of the southern department of California. A few days later Stockton left Gillespie in charge at Los Angeles with a garrison of only 50 men. Gillespie's arbitrary and dictatorial conduct, together with the weakness of his forces, was largely responsible for the later revolt of the Californians against American rule.

SEPTEMBER 1846

September 1 Edwin Bryant and a small group of ragged fellow travelers, the vanguard of the emigration of 1846, reached Sutter's Fort from Missouri.

September 2 Commodore Stockton appointed John C. Frémont military commandant of the territory of California.

September 4 California's first jury under American rule was impanelled in Monterey by Alcalde Walter Colton to try the case of Isaac Graham *vs.* Charles Roussillon, "involving property on one side and integrity of character on the other." Both parties announced themselves satisfied with the verdict, which acquitted Roussillon of fraudulent intent and awarded $65 to the plaintiff.

September 8 The garrison at Sutter's Fort was thrown into confusion by wild rumors that a thousand Walla Walla Indians from Oregon were descending the Sacramento Valley bent upon attacking New Helvetia to avenge the death of their chief's son, shot by a settler at the fort in 1845.

Kern, the garrison commander, strengthened his forces by recruiting newly arrived immigrants and neighboring settlers and sent urgent appeals for help to Sonoma and to Commander Montgomery in Yerba Buena. Within a few days all northern California had been aroused and reënforcements were on their way from points as far distant as Monterey. It was soon learned, however, that the Indians consisted only of some forty warriors with their families and that their intentions were peaceful. Thus the "Walla Walla War" came to a sudden and quiet end.

September 15 By order of Commodore Stockton, elections of local officers were held in the chief towns of California. At Monterey a resident reported that "there was an unusual large number of voters, who chose a better set of officers than the town ever had," but at some places, as at Los Angeles and San Jose, the Californians boycotted the polls. Walter Colton was chosen alcalde of Monterey; Lieut. Washington A. Bartlett was elected alcalde at Yerba Buena; and at San Diego, Joaquín Ortega and Henry Fitch were chosen as the chief officials.

September 23 A group of semi-outlaw Californians under the command of Sérbulo Varela, tired of Gillespie's harsh regulations and "filled with patriotism and perhaps with wine," made a pre-dawn attack upon the American garrison in the Government House in Los Angeles. The attackers were easily driven off, but later in the day Gillespie, sending out men to arrest the demonstrators, discovered that the spirit of revolt had seized most of the populace.

September 24 Varela and his followers, now numbering about 300 men, issued a formal proclamation of rebellion, swearing that they, "the majority of the inhabitants of this district," would not lay down their arms until all North Americans had been driven from Mexican soil. The Californians, reorganized under the command of Capt. José María Flores, surrounded Los Angeles and called upon Gillespie to surrender.

John Brown, better known as "Juan Flaco," started from Los Angeles on horseback to carry word of Gillespie's plight to Commodore Stockton. Narrowly escaping capture by the Californians as he dashed out of the pueblo in the evening darkness, Brown rode day and night, reaching Monterey late on September 28, only to find the Commodore had left for San Francisco. The next day Brown continued northward and delivered his message to Stockton early on October 1. This famous ride of about 500 miles won for Brown the popular title of the "Paul Revere of California."

September 25 General Kearny with about 300 men of the 1st Dragoons set out from Santa Fé to march overland to California.

September 26 The 7th N. Y. Volunteers, commanded by Col. Jonathan D. Stevenson, sailed from New York for California in three transports, the *Thomas H. Perkins*, the *Loo Choo*, and the *Susan Drew*. The New York press predicted that "as a specimen of utter hopeless failure this California expedition will stand without a superior, perhaps without an equal, in the annals of any nation."

Commodore Stockton, in the *Congress,* arrived at Yerba Buena from Monterey and San Pedro.

Some twenty Americans under the command of B. D. Wilson, who had been directed by Stockton to patrol the San Bernardino area, heard of the insurrection against Gillespie and sought refuge in the stout adobe house on the Rancho del Chino of Isaac Williams, about twenty-five miles east of Los Angeles. There they were surrounded by a party of fifty or more Californians led by Sérbulo Varela and Diego Sepúlveda.

September 27 After a short but sharp skirmish in which one Californian was killed and several wounded, Varela and his men reached the walls of the Chino adobe and set fire to the roof, thus forcing the Americans inside to surrender. The Californians, incensed at the death of their comrade, proposed to shoot the prisoners, three of whom had been wounded in the fighting; but Varela, courageously placing himself between his command and the Americans, prevented the massacre. The victors had to content themselves with carrying the captives off in triumph to Los Angeles. This victory in the first real battle of the conquest of California encouraged the Californians to continue their revolt.

September 29 Gillespie, besieged on Fort Hill back of the Los Angeles Plaza, realized his position was hopeless and agreed to terms of surrender offered by Flores.

September 30 With all the honors of war, with drums beating and colors flying, Gillespie's little force marched out of Los Angeles for San Pedro, where they were to deliver their artillery to the Californians and to sail immediately upon a merchant vessel for Monterey.

The four months' record given above bears out the liveliness of the California scene mentioned in the introductory note on page 121. That it maintained the same impetuosity throughout the mid-century will be apparent from the record for the full twelve-month periods, 1846–1850, to be issued in due course by the Society.

Documentary

KNOW all men by these presents. That I, Samuel J. Hensley, of Sacramento City California, have made constituted and appointed and by these presents do make constitute and appoint, Talbot H. Green [Paul Geddes], of San Francisco, California, my true and lawful attorney for me and in my name place and stead, to take possession of two lots of land, numbers one hundred and nine one and the west half of number two hundred & eleven, in the town of San Francisco and to grant, bargain, and sell the same and for me and in my name to make execute and acknowledge, and deliver good and sufficient deeds and conveyances for the same, and to collect, recover and receive all sums of money which shall become due and owing to me, by means of such bargain and sale; giving and granting unto my said attorney full power and authority, to do and perform all and every act and thing whatsoever, requisite and necessary to be done in and about the premises, as fully, to all intents and purposes, as I might or could do, if personally present, with full power of substitution and revocation hereby ratifying and confirming all that my said attorney or his substitute shall lawfully do, or cause to be done by virtue hereof. In witness whereof I have hereunto set my hand and seal, at San Francisco, the seventh day of December in the year One thousand eight hundred and forty nine

[Signed] Sam^{l} J Hensley

Sealed and delivered
in the presence of
[Signed] Hobart Smith.

On this seventh day of December AD 1849 before me, personally came Samuel J. Hensley to me known to be the individual who executed the above power of attorney and acknowledged that he executed the same,

[Signed] C. V. Gillespie
Notary Public
Dist San Francisco
U. Cal.

[SEAL]

Recorded in the office of the Alcalde in Book L. of Deeds page 5. January 5th A. D. 1850 at 1½ o'clock P. M.

[Signed] A. C. Bonnell
Rec. Clerk.

From the Collection of the California Historical Society, *Papers of A. C. Whitcomb Estate.*

The Old Franciscan Library at Mission San Juan Bautista

By Brother Daniel, M.M.

THE former kitchens and dining-rooms of Mission San Juan Bautista were in the cloister wing, about midway from the church. Today, two of the rooms serve as the museum where are preserved the old vestments, music books, missals, altar vessels, and other objects of historic interest; and in a cabinet in one of these rooms is a small collection of books. They are arranged on three shelves of about three feet in length, and are regarded as the books which formed the library of the Franciscan padres of the mission. Those on the upper shelves are bound in parchment or vellum; on the lower, in substantial leather.

As recently as 1940 the only bibliographical compilation of these old books was a short list of titles, with no mention of the author nor of the content of the title page, and no imprint data. Stirred by curiosity as to the subject matter behind the titles, and feeling that now and then a tourist with scholarly leanings might wish to know something about the old volumes, the writer set about the compilation of a bibliography that would conform to standard practices. When the volumes in the main bookcase had been shelved according to this bibliography, the arrangement proved to be very convenient for those who guided visitors through the mission, because the books in parchment bindings could be described as sermons and works on theology, the leather-bound works as forming a group composed in general of medical treatises, breviaries, and books on travel, geography, and metaphysics.

Parchment-bound Books

Some of the books in this group are in Latin, others in Spanish, French, or Portuguese. In several instances the bindings are loose, the paper is stained and would undoubtedly tear under indelicate handling; also, the print is often small and not easily readable. Heights of individual volumes range from around fifteen to twenty-one centimeters.

Twenty entries, or a total of forty-six books, comprise the quota of the parchment-bound works. On the flyleaves of many are the words, in Spanish, "This book belongs to the library of the College of San Fernando in Mexico." The present paper does not contemplate an itemized account of each one but only of the more noteworthy.

Theology comes first, with a general work by Francisco Henno on dogmatic, moral, and scholastic theology, in eight volumes and a supplement. There are two sets of Henno's treatise, one printed in 1768, the other in 1785. Both are in Latin and were published in Venice by Pezzana. The set bearing the date 1768 has on the flyleaf in Spanish, "For the personal use of Fr. Estevan Tapis," in the same handwriting as the entries in the mission baptismal register, constituting, it would seem, proof that the writing is Father Tapis's. Supplementing this general work is Francisco Echarri's two-volume *Moral Guide*, which was published in Spanish at Madrid by Girón y Serrado in 1794. There is also another Spanish edition in the collection published in Gerona by Oliva in 1755. The *Moral Guide* is not confined to morals. It includes the sacraments and touches briefly on other matters, so that it corresponds roughly to a modern handbook for ready reference, and must have been of much service to Fr. Dulanto, whose name is inscribed on the flyleaf. Francisco Henno's treatise, on the other hand, is a comprehensive scholarly work on morals, giving precise information in theologically phrased Latin.

Among the parchment-bound books is also San Carlos Borromeo's *Instructions on the Administration of the Sacrament of Penance*, written in Spanish and published in Madrid in 1781 by Ulloa.

For examples of notable sermons, the padres could turn to Charles de Neuville, preacher to Louis XV of France. His discourses were translated from French into Spanish by Juan Antonio Pellicer, and were published in a seven-volume edition by Roman in Madrid in 1789. (The first volume is missing in the San Juan Bautista collection.) Another work concerned with sermons is *Quares de Señeri.* It lacks a title page and is numbered as Volume II—the sole book of the set. Just what the word "quares" means is uncertain, unless it is the plural of the Latin *quare*, "why."

A search was made to locate a sermon, say, on mortal sin in both of the above works, so that a comparison might be made between de Neuville's method and that of Señeri, to ascertain what choices the padres had, theoretically at least, in attempting to edify their Indian congregations. De Neuville, it was found, exposed the evil of sin mainly by recalling theological principles. He wrote in polished, oratorical Spanish. Señeri headed each sermon with a text from Scripture; and as he leaned more on emotional appeal than on sober theological argument, he did not employ the finished rhetoric of de Neuville.

Besides the two books of sermons just named, there is on the shelves *Various Sermons Translated from the Portuguese into Spanish*, the work of Antonio Vieyra and published by De Murga in Madrid in 1714. This is the oldest imprint date among the parchment-bound books.

The difficulties which the padres might have with Latin were provided for by a grammar and a dictionary. The grammar has no title page, but on the first page of the text is the Spanish heading "El Arte Explicado y Gramatico Perfecto." Its 702 pages have none of the interesting illustrations that ease the tedium of our modern youth in their wrestlings with Latin declensions, but recall the grim and forbidding styles of the 1850's, with their unbroken ranks of rules and syntax. Pedro de Salas is the author of the Latin-Spanish dictionary. The literal translation of the title page reads, "Latin-Spanish Compendium of Each Tongue." It was published in Madrid by Meña in 1779.

The names of the padres appear either around the title pages or on the flyleaves of some of these books. There is the inscription of Fr. Tapis mentioned above. He dwelt at San Juan from 1815 until his death in 1825, and lies buried near the altar. Before coming to San Juan Bautista, Fr. Tapis had served as president of the California missions (1803-1812). On the flyleaf of the 1794 edition of Echarri's *Moral Guide* is inscribed, as has been said, the name of Fr. Andrés Dulanto, who labored here from 1804 to 1808 before being transferred to Santa Barbara; and one notices quite often the name of his successor, Fr. Felipe Arroyo de la Cuesta. The latter came to San Juan Bautista in 1808 and remained there until 1833 when he was transferred to Mission Santa Inés, in search of relief from rheumatism from which he suffered severely. He left his mark on Mission San Juan Bautista as a scholar, linguist, and architect. That he was a scholar is apparent from the books he loved. His linguistic gifts flowered in the compilation of over 2800 words in the Indian Mutsun language, and in his ability to hear confessions and preach in thirteen dialects. The completion of the church, one of the most ambitious of all the Franciscan missions and already in construction when he arrived, gave Fr. de la Cuesta an opportunity for the display of his architectural talents.

The most memorable handwriting is on a bookmark pasted in the Latin-Spanish dictionary. It is merely a scrap torn from a letter bearing in Spanish the greeting, "To the Reverend Fr. Friar Felipe Arroyo de la Cuesta whom may God protect," while on the reverse is the ending, "Friar Antonio Jayme, Soledad, 30 of November"—just a letter from Fr. Jayme to Arroyo de la Cuesta. The name of Francisco Suñer appears in a work on dogma by Juan Sanz López. This is not a body of doctrines for common use but a rule book for the Franciscan way of life in the monasteries. Volume I explains in detail, by means of questions and answers, the physical or outward observance of the Franciscan rule. Volume II treats of the spiritual life, such as the growth in holiness and virtue and the methods of prayer. Suñer lived at San Buenaventura and probably used the book when he was studying at the College of San Fernando in Mexico, as his name is not found among the Franciscans at San Juan Bautista.

Leather-bound Books

The works in leather bindings, 32 entries totaling 49 books, have good casings, despite their age, but the paper is spotty in quality, some being much discolored, whereas in others the pages are as readable as a book of today. The French presses show up the best as to print and paper; those of Spanish origin are apt to be inferior in both respects. In only a few of the books that are bound in leather is the entry, "This book belongs to the library of the College of San Fernando in Mexico"; and of those personally inscribed, the names of Arroyo de la Cuesta and Dulanto alone appear, indications of ownership being considerably less evident than in the parchment-bound volumes. The sizes run much the same as do the latter.

The medical works, in their scholarly treatment, are comparable to those of our times. Herman Boerhaave's *Institutiones*, written in Latin, was published in Valencia in 1790 by Estevan y Cervera. Only one volume, dealing with physiology, is on the shelves in the San Juan Bautista collection. This volume is apparently the first of the set, as it carries the index and points out that the others take up pathology, semeiology or symptomology, hygiene, and therapeutics. *Quiz*-questions follow the ends of the chapters. The volume is also enriched with footnotes which refer to a remarkable bibliography. It prefaces the main subject matter and lists medical works in Latin, French, and English—mostly of the seventeenth century, though one footnote refers to a work by Galen printed in 1538, and another to one by Andreas Vesalius dated 1543. Greek characters appear here and there in the index.

Valeriano Luigi Brera, an Italian, wrote a work entitled *Worm Diseases.* It was translated from the Italian into French by Bartoli and Calvet and was published in Paris in 1804 by Delaplace. Brera treats in scholarly fashion the types of worms that afflict human beings, setting forth the medical treatment based on mineral and vegetable compounds or medicines, and at the chapter endings are notes citing works that sustain the ideas set forth. Johannes Friedrich Cartheuser's *Fundamentals of Materia Medica* is written in Latin and was published in Paris by Cavalier in 1752. The first volume is the only one found on the shelves of the mission library. Du Rondeau's *Treatise on Dysentery* is in French and was published in Brussels in 1789 by Lemaire. In this instance, also, Volume I alone remains at San Juan Bautista. In the light of our knowledge of dysentery, the ideas set forth by Rondeau seem rather quaint in some instances. The predisposing causes are given as climate, food, air, seasons, and so forth. The symptoms are taken up and the treatment of the ailment elaborated. It is well documented with footnotes.

The breviaries are quite old and for the most part lack title pages. *Monastic Breviary* is the oldest of the books in leather bindings. It has a French title page, French rubrics in the body of the work, but the rest is in Latin. It was published in 1703 in Paris by De Bats.

As to books on travel and geography, Nicolás de la Cruz y Bahamonde got together a set of *Travels in Spain, France, and Italy*. Thirteen volumes in nine, with numbers three and four missing, are now on the shelves. Some bear the imprint date of 1806-1807, and were published in Madrid by Sancha; the remainder are dated 1812-1813, with Bosch of Cadiz as publisher. These travels were written in Spanish and begin in the year 1797, continuing until

1811. The author complains of the censorship due to the Napoleonic wars and of the difficulties with the military in the countries mentioned. It was because of censorship that the book's appearance was delayed, compelling de la Cruz y Bahamonde to seek a Cadiz publisher for the latter part of his work.

Geography is represented in the library by Antonio Montpalau's *Geographic Dictionary* in three volumes. (Only the first and third volumes remain on the shelves.) It is in Spanish and was printed in Madrid by Marin in 1794, and seems to be an excellent work of reference for brief descriptions of places. The six hundred words given to California show that it is treating Lower not Upper California.

Volumes three and seven of Carlos Richard's history of the Councils of the Church are in the mission library. The work was translated into Spanish, possibly from the French, and bears the title, *The Holy Councils General and Particular from the First Held by the Apostles Till That of Trent*, being published in Madrid by Espinosa in 1793-1795. The volumes in the library deal with the Councils held from the sixth to the sixteenth centuries.

A priestly library should boast at least one work on scholastic philosophy. Luckily there is a sole volume dedicated to metaphysics and written by Para in Latin. It was published by Arizpe in Mexico City in 1809. Para divided his work into some five chapters or tracts, in which the existence of God is irrefutably proved, and the nature of God philosophically observed. The human soul is then discussed—its spirituality, immortality, liberty, and natural faculties. The final chapter deals with matter metaphysically observed.

The main bookcase, as has been seen, provided the padres with their intellectual and cultural stimulus. The remaining volumes—large music books, missals, and a Latin Bible—are on display in the vestment case or on other shelves in the wall cabinet. They lie, as a rule, open and tilted up for easier scrutiny. One of the old missals in the vestment case was printed in Madrid in 1786 by Marin. Its binding is broken, but the title page shows little if any discoloring by age. Another missal, printed in Paris in 1812 by the Société de Libraires Catholiques, is in the wall cabinet. The pages are snow white, where there has been but little use, and the print is of hair-line sharpness. The Latin Bible, printed in 1774 by Ramondini of Bassano, is displayed in two places: the first volume is in the vestment case, the second in the wall cabinet. Both are in good condition.

The oldest work of all the books in the museum is the *Mystical City of God* by Mary of Jesus of Agreda. The first and third volumes are all that remain in the collection. They are written in Spanish and were published in 1698 in Seville by Blas. The author was abbess of the Convent of the Immaculate Conception in the town of Agreda in Burgos, Spain. Volume I has excellent paper, large bold type with the ink still undimmed, and boasts two full-page illustrations, probably woodcuts. The red and black lettering of the title page reads in part, "Life of the Mother of God . . . revealed . . . by our Lady herself to Sr. Mary of Jesus." Contents of the first volume include the life of the author, the story of her visions, and the life of the Blessed Virgin from her birth to her betrothal to St. Joseph. Volume III is somewhat damaged, as if dampness had rendered the casing limp. Like Volume I, it has two full-page illustrations and continues the life of Our Lady from the Descent of the Holy Ghost to her death.

The most brilliant in appearance of all the works are the music books written in manuscript by Fr. Tapis. In one, which is of particular interest, he drew the lines on parchment, formed the multicolored Gregorian notes according to the older style, and printed out the words. It is of folio or ledger size, bound in leather, and ornate in its beauty of lettering. There is no title page; but the index to the Masses and hymns would be the despair of our present draftsman in the artistry of the letters. Another book, also bound in leather and of the same size but with paper of excellent quality instead of parchment, was seemingly begun but, from the surfeit of blank pages, never finished.

A short survey of the Franciscan library at Mission San Juan Bautista has been presented. The salient books have been touched upon and their special characteristics pointed out. For the interest of those who would study further, there is the bibliography noted in the opening paragraphs. The writer must confess that in the past four or five years of his stay at San Juan only one visitor has been capable of reading the languages contained therein. Others have manifested an interest, but were lacking in the necessary linguistic training. Perhaps, however, this article may lure some scholar to turn off the 101 Highway and spend a brief time at the old mission.

Tom Hill—Delaware Scout

By Francis Haines

"The Delaware fights with the grey bear in California, and pursues the buffalo in the steppes of the Nebrasca; he follows the elk to the sources of the Yellowstone River, and throws the lasso over the maned head of the Mustang in Texas; and it must be added that he does occasionally take a scalp when he can find an opportunity . . ."[1]

"They [the Delawares] are not clannish in their dispositions like most other Indians, nor by their habits confined to any given locality, but are found as traders, trappers, or hunters among most of the Indian tribes inhabiting our continent."[2]

A HUNDRED years ago any westward bound caravan seemed incomplete without a Delaware scout in the background, to read the weather signs in clouds and wind; trail-sign in the print of a moccasined foot or the gouge of a lodgepole drag. He found water holes in dry country, wood for fires and forage for horses in barren wastes, and game of all kinds to feed hungry men. On him, to a large extent, depended the safety, even the very existence, of the group. And the mountain man, though he despised, or at most tolerated Indians, Mexicans, cavalry, sportsmen and settlers, accepted the Delaware as a partner, an equal.

Among the best of the Delaware scouts was Tom Hill, tall, muscular, handsome, his heavy black hair reaching unfettered to the bend of his knee.[3] He fought Comanches on the Cimarron, Blackfeet on the Yellowstone, Paiute, Digger and Shoshoni in the Great Basin, and rancheros in the hills of California, in each encounter winning added renown for his courage, skill and daring. First as one of Kit Carson's men, then as a Nez Perce chief, and later as a volunteer under Frémont in California, Tom Hill, in fifteen eventful years, took an active part in every important phase of western history during that period.

Although Tom Hill has a white man's name, there is no indication that he had any white blood. Among the Delawares it was common custom to adopt the name of some white friend. In 1756, a white friend of the Delawares was carrying a message to the tribe from the governor of Pennsylvania when he was murdered by a war party of Iroquois on the trail between Menessink and Wyoming Valley.[4] It would be quite in keeping with tribal practice that one of the Delawares should adopt the name of this murdered friend, Thomas Hill. At any rate there is a family of Hills in the tribe from about this time, with no hint that they had any white blood.

In the treaty of 1817, specific grants of land were made to the Delaware Indians, Isaac Hill and John Hill, from the tribal lands near Sandusky, Ohio.[5]

It is probable that one of these was the father of Tom Hill. Since Tom Hill was classed as educated by his mountain comrades, it is probable that he attended for a time the mission school established in Upper Sandusky in 1821, when Tom was ten years old.

Although Dr. John McLoughlin of Fort Vancouver reported that Tom Hill was a graduate of Dartmouth,[6] there is no supporting evidence. Dr. McLoughlin may have confused Hill with the Dartmouth man reported by Thomas Farnham in 1839, who was opposed to white settlers.[7] However, this man was much older than Hill, and was serving as a messenger between trading posts at a time when Hill was known to be leading Carson's Delaware hunters.

By the spring of 1834, at the age of twenty-three, Tom Hill had become one of the mountain men. He was with the large party that left Taos, New Mexico, for the spring trap in the Colorado mountains, a group that also included Kit Carson.

Carson, now twenty-four, was ready to strike out for himself. Choosing five youthful companions, already well tested in many a tight place, he turned east from the main party to trap in the southwestern corner of Colorado, in the hills lying between the Arkansas and Cimarron rivers. His chosen five were the irrepressible Joe Meek, William Mitchell, and three Delawares: Manhead, soon to be the leader of Jim Bridger's forty Delaware hunters, Tom Hill, and seventeen-year-old Jonas.[8]

There on the rolling plains one spring morning Carson's men were attacked by some two hundred Comanche warriors. Attempting no futile flight, the trappers cut the throats of their mounts to provide temporary breastworks, and thus withstood the first furious charges. During brief lulls in the fighting they scooped out small shelters with hunting knife and tomahawk, adding the dirt to the fleshy ramparts now thickly feathered with arrows. The day dragged on, with long tedious periods of waiting interspersed with short flurries of fighting, until the Comanches sullenly withdrew at dusk. When night brought an end to the heat, glare and flies, the trappers gathered their weapons and struck out on foot. Far to the west lay the foothills and safety. All through the night they ran, and most of the following day, until they reached water and shelter some seventy miles from the bloody knoll.

In this baptism of fire was born that band of trappers and hunters famed throughout the west as Carson's men. The three Delawares followed Carson's leadership until Manhead fell before the guns of the Blackfeet one February day in a blinding storm on the banks of the Yellowstone. To fill his place as captain of the Delaware hunters, Tom Hill was chosen at once,[9] and he held this post until the fall of 1839.

The year 1838 brought Carson's last big trap. He could see that the day of the mountain man was drawing to a close. Fur was scarce, prices were down, and permanent trading posts had superseded the flamboyant rendezvous. In December he set up permanent headquarters for his hunters in Taos,[10] from which the men went in small parties each summer and winter. Each spring and fall the entire band gathered at William Bent's busy post on the Arkansas River for the big buffalo hunt that supplied the vast quantities of meat used by that large establishment, meat which Carson had contracted to supply.

For some reason, Tom Hill left Carson's men in the fall of 1839 and joined a band of Nez Perce Indians living in the buffalo country of Montana. This band claimed the valley of the Clearwater in central Idaho as their home, but they visited it infrequently, preferring the nomadic existence among the buffalo herds.

For five years or more Tom Hill had known these people at the rendezvous and on the trail. He had visited their lodges, feasted with them, and deliberated around their council fires. With them he had hunted the buffalo and fought the Blackfeet. He had found the Nez Perces much like the Delawares in physique, intelligence, habits and customs. He learned that the Nez Perce girls were rated as the neatest, cleanest and prettiest in all the west, and preferred above all others as wives for mountain men. So he married one of them and became a member of the band.

The Nez Perces, in turn, admired Tom Hill for his prowess in battle against the fierce Blackfeet, and for his wise advice around the council fire. As a result he soon rose to leadership over an appreciable number of the tribe who spent most of their lives as roving hunters in the buffalo country. Thus five happy years passed. A son was born to grace his lodge, and was named after his famous father. In later years this son served on the Lapwai Agency police force.

Meanwhile a storm was brewing west of the mountains. In the Nez Perce homeland two factions of the tribe had developed as a result of the Spalding mission work: those in favor of the mission and its work, and those who preferred the old ways.[11]

When the Spaldings had reached Lapwai in the fall of 1836, they had been met with vast enthusiasm on the part of most of the tribe. The mission prospered greatly. Entire families of Nez Perce thronged the church and the mission school. Gardens and farms were laid out, and horses were traded for hoes. It seemed that a few years would suffice to convert the entire tribe to a sedate farming existence.

But by 1840 the first flush of enthusiasm for the new ways had begun to fade. The white man's learning and the white man's religion seemed less attractive and less valuable. The flowery promises of Samuel Parker, who spoke of the spiritual and material benefits that would flow from a benevolent God to the Indian converts, had been accepted literally by the Nez Perces, but they failed to materialize. The most obvious result of following the mission teachings seemed to be the exchange of a free roving life for one of arduous toil under the stern, watchful eye of an alien taskmaster. It seemed, to the bewildered Indian, that anything enjoyable was a sin. Ancient Indian customs of all kinds were banned.

In perplexity the Nez Perces turned for guidance to their old friends, the mountain men, and asked them if the white people in the east followed such teachings. William Craig, an educated mountain man who had settled among the Nez Perces near Lapwai, told his questioners that white people did not always behave as the missionaries did. White people often drank, and gambled, and broke the Sabbath. White people were not ruled by their churches. Ministers in eastern towns paid for land, and food, and work, like anyone else. They were not treated like chiefs, and they were not allowed to whip violators of the church code, as Spalding had done to Nez Perce women.

But Tom Hill went even further in his teachings. With one hundred and fifty years of bitter tribal history to support his statements, he preached against the white missionary and his attendant evil (from the Delaware viewpoint), the white farmer. As early as 1843, Dr. John McLoughlin at Fort Vancouver reported that echoes of this teaching had reached the Dalles, where an Indian shouted at a passing white man, "Kill the Bostons."[12] He traced the source of this sentiment to Tom Hill, still in the Montana buffalo country.

Finally, in 1845, Tom Hill went west across the mountains with his adopted people.[13] Soon he was visiting the Nez Perce villages, trying to unite all the "heathen" Indians against the missions, and urging that none of the swelling tide of immigration along the Oregon Trail be allowed to settle in the Nez Perce country. His activities soon alarmed Henry Spalding at Lapwai, who wrote:

> "Tom Hill, a most blasphemous debassed infidel half breed Deleware, who has been some years in the Mts. spreading his poison returned this fall with this people from the Buffalo. He pretended to know all about the origin of the white man's religion & the design of the missionary. . . . Perhaps 1000 have joined his party including 8 or 9 chiefs. They have abandoned all forms of worship."[14]

However, these doctrines were no new invention of Tom Hill. For generations they had been handed down in Delaware tribal councils, the bitter fruits of years of harsh treatment and treaty violation. In 1762 one of the chiefs presented the Indian point of view to a missionary who wanted to settle on tribal land:

> "Brother, instead of instructing us or our children, you are cutting trees down on our land. You have marked out a large spot of ground for a plantation as the white people do everywhere; and bye and bye another, and another, may come and do the same; and the next thing will be, a fort will be built for the protection of these intruders, and thus our country will be claimed by the white people, and we will be driven further back, as has been the case ever since the white people first came into this country."[15]

Nineteen years later another chief spoke thus to a group of mission Delawares:

> "I admit that there are good white men, but they bear no proportion to the bad; the bad must be the strongest, for they rule. They do what they please. They enslave those who are not of their colour, although created by the same Great Spirit who created them. They would make slaves of us if they could, but as they cannot do it, they kill us! There is no faith to be placed in their words. They are not like the Indians, who are only enemies, while at war, and are friends in peace. They will say to an Indian, 'my friend! my brother!' They will take him by the hand, and at the same moment destroy him. And so you will also be treated by them before long. Remember! that this day I have warned you to beware of such friends as these. I know the *long knives;* they are not to be trusted."[16]

Less than a year later the white men proved him to be a true prophet by massacring ninety-six of these peaceful Christian Indians and stealing their improved farms.

Quite understandably, under generations of such treatment the Delawares came to dislike missionaries, schools, farmers and treaty agents. The curious part is that they did not develop a hatred of the entire white race. At any rate Tom Hill believed that the Nez Perces should be warned by Delaware experience against the dangers that would follow in the wake of the missionaries.

As the tide of immigration swelled along the Oregon Trail the Cayuse Indians were convinced that Tom Hill was right. Friction between the whites and Indians increased from month to month. Horses were lost or stolen. Hunting grounds were ruined. Game was slaughtered or driven off. But worst of all, the white men brought in many contagious diseases. Smallpox, scarlet fever and measles were common in the wagon trains, and were spread to the friendly Indians who came to trade horses and game for cloth, kitchen ware and cows. The Indian's lack of acquired immunity, his disregard of the elementary rules of camp sanitation, and his practice of taking sweatbaths whenever illness struck, all combined to make these diseases much more deadly to the red man than to the white. Measles alone often wiped out entire families, and took three out of every four people in a village.[17]

During this period of Hill's ascendency, Henry Spalding worried greatly over the decline of his influence among the Nez Perces, but he made no effort to meet his opponent. Marcus Whitman, during the same period, had changed his mission more and more to a way station for the relief of the caravans of homeseekers on the Oregon Trail, until it developed into a small village.

As Cayuse resentment against the white settlers increased, Hill's teachings served to strengthen their opposition. They invited him to visit their tribe, which he did in the fall of 1845, for a period of two weeks or more. Whitman also was interested in this new antagonist, and invited him to visit at the mission, where he entertained the Indians with a feast of corn meal mush and sweetened tea. A girl at the mission has left us an account of the affair:

> "A large kettle was suspended over a fire in the yard and the mush was made by putting in tallow and stirring in meal or flour. When cooked the kettle was taken indoors and placed on the floor. The doctor was master of ceremonies and the rest came in order of rank. The doctor and the chiefs dipped their spoons in the big kettle but common people had dishes served and ate out of them. Some acted as waiters. They had tea sweetened. We children were looking on and it amused us to see what a quantity of sugar they used—all that the tea could hold. It was evening and the family occupied a bench on one side of the big room which was crowded. It was well lighted with candles and they ate in silence except the sipping noise peculiar to Indians eating. Their performances at the trencher were so amusing to us that occasionally Mrs. Whitman sent us outdoors to have our laugh out. When the feast was over the room was cleared and put in order for the speech. Tom Hill delivered an address that lasted two hours and was quite eloquent."[18]

Although Tom Hill's teachings were against missionaries in general he had no personal dislike for Marcus Whitman. William Craig reported:

> ". . . [Hill] came once, in company with some Nez Percés, to Dr. Whitman's; after remaining there some twelve or fifteen days he returned; I asked him how he and the Doctor got along; he told me very well; that he was a heap better man than Spalding; he had asked him into his house sometimes. After that the Doctor told me Tom had done some mischief with the Indians in that place."[19]

While Tom Hill's teachings undoubtedly helped cause the Whitman massacre in the fall of 1847, he had no part in plotting the attack. More than a year before the tragedy he had left the northwest country never to return, and at the time of the outbreak he was lying seriously ill several hundred miles away. Meanwhile he had taken part in many spectacular events, the first of them being the Walla Walla "invasion" of California.

On the evening of September 9, 1846, Daniel Sill, a settler from Deer Creek, dashed into Fort Sutter on a jaded horse.[20] He had ridden at breakneck speed from his home some hundred miles to the north to warn the fort that Yellow Serpent, war chief of the Walla Wallas, with one thousand warriors at his back, was already in the central valley seeking vengeance for the murder of the chief's son in the summer of 1844.[21]

As the dread news spread through the northern settlements volunteers hastily assembled at the fort to withstand the impending assault. Much to their expressed disgust the great war party soon resolved itself into forty peaceful Indians on a trading venture. The volunteers at once disbanded while the Indians, after a short visit at the fort, crossed the Sacramento River and established a hunting camp some twenty miles down its west bank. While game was plentiful and they were able to secure a supply of dried meat for the winter, the nearby swamps soon had the entire party suffering from chills and fever.[22]

Although Tom Hill was in new surroundings at Fort Sutter he soon was adopted as one of the crowd of frontiersmen, on a footing of equality quite different from the standing accorded the Walla Wallas. Hill was used to the frontier ways, he could speak good English, but most of all, he was one of the Carson men. His status was that of an important person rather than that of an Indian.

This became evident a month or so later. In October, when the Californians became restive under the new order, Frémont immediately sent to Fort Sutter for reinforcements. He asked for every man available, including new arrivals from the east and friendly Indians. Among the hastily formed companies was Co. H, which included ten Walla Wallas and thirty local Indians, who were to serve for $6.00 a month.[23] They had an excellent record as scouts during their service, and possibly for foraging as well, for they were soon known as the "Forty Thieves."[24] Tom Hill did not enlist with them. Instead he joined one of the companies of white volunteers at $25.00 a month.[25]

In less than two weeks' time about sixty men and some three hundred horses had been gathered at Fort Sutter. For their captain the men chose Charles Burroughs, a newly arrived immigrant, who rode the famous gray horse "Sacramento." They left Fort Sutter about November 8, 1846, crossed the San Joaquin River near Stockton, and proceeded to San Jose by way of Altamont Pass and Livermore.[26] Tom Hill bought a knife from P. B. Reading on November 14,[27] probably at San Jose. November 15 the party reached San Juan Bautista in company with Captain Bluford K. Thompson, a redheaded, quick tempered man, nicknamed "Hell Roaring" Thompson by his men.

Meanwhile a party of Californians including Manuel Castro, Francisco Rico, Jesús Pico, Joaquín and Gabriel de la Torre, and José Antonio Chávez, had assembled in the Salinas Valley, planning to capture the horses and thus handicap Frémont. They also took prisoner Thomas O. Larkin.[28]

On the morning of November 16 Captain Burroughs set out for Monterey, sending a small scouting party in advance. The scouts included George Foster, James Hays, Tom Hill, James Salmon, and a few Walla Walla Indians. At Natividad rancho they were attacked by the Californians and retreated at once to a strong defensive position in an oak grove. In the resulting skirmish the California horsemen tried to dislodge the scouts without exposing themselves unduly to the rifle fire of the besieged.

> "One Spaniard took shelter behind a tree, where he had a chance to take deliberate aim, and before he could be dislodged killed Foster and wounded Haze [Hays] in the thigh. At length, after loading his gun, he exposed his body, so that Haze placed a ball in his hip, which brought him to the ground. He was afterwards tomahawked, scalped, and stripped of his serape and hat by Tom Hill. The Spaniards were frequently bantered to come out and take a fair fight. At last Tom Hill said, "You come here, me kill you. You can't fight better than one woman." At length they were charged upon by three Spaniards armed with lassoes, and the scene was quite exciting for a few moments, but soon over. Haze brought one down with his rifle and Salmon another; but Hill

> scorned to take such advantage of his foe, and putting down his rifle, drew his tomahawk and prepared to meet him on fair ground. The strife was soon over, for as soon as the Spaniard made the first pass, Tom paried the thrust and struck the Spaniard in the forehead with his tomahawk, which brought him to the ground, where he deliberately tore off his scalp."[29]

A short time later Captain Burroughs and his men rode over the hill to rescue the scouts. They fired one ragged volley at the Californians and, with rifles empty, charged across the open field against those superb horsemen. This reckless act cost Burroughs his life; and the remainder of the group was saved from serious loss only by an opportune flanking movement on the part of some of the Indian scouts.

Although the party had lost two leaders, Burroughs and Foster, the horses were saved. The herd was kept in a corral at the Gómez ranch that night and taken back to San Juan Bautista the next day.[30] Meanwhile the camp was in confusion. Convinced that they were surrounded by superior forces, the men decided to send Tom Hill through the enemy lines that night in an effort to get news of their plight to Frémont at Monterey. Through storm and darkness the Delaware scout rode across unfamiliar terrain, only to be intercepted by a California patrol.

> "Soon after he started he was pursued by a party of the enemy. The foremost in pursuit drove a lance at the Indian, who, trying to parry it, received the lance through his hand; he immediately, with the other hand, seized his tomahawk, and struck a blow at his opponent, which split his head from the crown to the mouth. By this time the others had come up, and with the most extraordinary dexterity and bravery, the Indian vanquished two more; and the rest ran away. He rode on towards this town as far as his horse was able to carry him, and then left his horse and saddle, and came in on foot. He arrived here about eight o'clock Tuesday morning . . ."[31]

Following this adventure, Tom Hill went as a scout with Frémont's forces on the winter march through rain and mud to Los Angeles. Again his dash and bravery received favorable notice when, at San Buenaventura, he tried to entice some California scouts to close combat.[32]

These exploits made Hill a noted figure, a definite personality to his comrades in arms. In memoirs and reminiscences he is usually mentioned by name, an honor accorded none of his Indian companions. In these eyewitness accounts Hill appears as a strong character with a pleasant personality, a man quite generally admired.

After his return to Monterey from the south, Hill was royally entertained by his comrades and the local people. On February 8, 1847,[33] he was paid three months' wages as volunteer by P. B. Reading, and shortly after that he left for Sacramento with the Walla Wallas. His arrival at Fort Sutter was recorded thus:

> Tom Hill & Co., the Walla Wallas and the G . . . have returned . . . Thos Hill sports his fine $150 Saddle with much grace and says that White men think him big man below gave him plenty Rum plenty drunk. They were twelve days coming up.[34]

Possibly this saddle was to replace the one lost on that stormy night ride to Monterey in November. Obviously there is some story connected with it that has not yet been uncovered.

By March 30, 1847, the Walla Wallas had outworn their welcome at Fort Sutter. They were accused of plundering the local Indians and of stealing horses from the white settlers.[35] They had not been paid all the wages due them for war services, and their chief had not been recompensed for the death of his son. They remained deaf to all suggestions that they go home.

Finally, on June 16, the Walla Wallas were paid in full.[36] Chief Yellow Serpent was given many extra presents, and the party left for the north. Tom Hill did not go with them, and there is no hint that he ever again visited the Nez Perce, or saw his wife and son. His brother had arrived with one of the wagon trains from the east, just as the Walla Walla Indians were preparing to leave.[37] Perhaps this chance meeting kept Tom Hill from returning with them.

A short time later Hill moved to the Mokelumne River, where he lived for several months. That fall he was seriously ill for some time,[38] but he recovered before spring. He spent a week at Fort Sutter in March, 1848,[39] and then dropped from sight for several years.

In the fall of 1854 Hill was back with his people in Kansas. He applied for land as a veteran, and secured two plots, one of 40 acres in Cass County, Missouri, and one for 120 acres in Kansas. In December, 1860, Sarcoxie, one of the Delaware chiefs, had charge of Hill's estate,[40] so Hill probably died sometime earlier that year at the age of forty-nine.

NOTES

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9. Sabin, Edwin L., *Kit Carson Days, 1809–1868. Adventures in the Path of Empire* (New York, 1935), I, 269.
10. *Ibid.*, p. 308.

11. Drury, C. M., *Pioneer of Old Oregon, Henry Harmon Spalding* (Caldwell, Idaho, 1936) is the best work on the Lapwai Mission.

12. Marshall, *op. cit.*, I, 430.

13. 35th Cong., 1st sess., H. R. Ex. Doc. 38, p. 25.

14. Drury, *op. cit.*, p. 322 (quoting Spalding letter No. 60).

15. Heckewelder, *op. cit.*, p. 62.

16. Heckewelder, John, *History, Manners, and Customs of The Indian Nations Who Once Inhabited Pennsylvania and the Neighboring States* (Philadelphia, 1881), p. 81.

17. Haines, Francis, *Red Eagles of the Northwest* (Portland, Oregon, 1939). Chapter 9 discusses this problem more fully.

18. Clarke, S. A., *Pioneer Days of Oregon History* (Portland, Oregon, 1905), II, 525.

19. 35th Cong., *loc. cit.*

20. Bancroft, Hubert Howe, *History of California*, V, 301.

21. Bryant, Edwin, *What I Saw in California . . .* (New York, 1848), p. 273.

22. *Ibid.*, p. 344.

23. *A Transcript of the Fort Sutter Papers . . .* MS No. 51.

24. Bancroft, *op. cit.*, V, p. 359.

25. MS in Pearson B. Reading Collection, Calif. State Library.

26. San Jose *Pioneer*, August 10, 1878. Reminiscence of Henry Marshall.

27. MS in Pearson B. Reading Collection, as above.

28. Bancroft, *op. cit.*, V, 361 *ff.*

29. *Santa Cruz County, California. Illustrations Descriptive of Its Scenery, etc., with Historical Sketch of the County* (San Francisco, 1879), p. 20.

30. San Jose *Pioneer*, August 10, 1878.

31. Bryant, *op. cit.*, p. 363 (quoting *Californian*, November 21, 1846).

32. Bancroft, *op. cit.*, 400.

33. MS in Pearson B. Reading Collection, as above.

34. *A Transcript of the Fort Sutter Papers . . .* MS No. 115 (G. McKinstry, Jr., to E. M. Kern).

35. *Ibid.*, MS No. 83.

36. *New Helvetia Diary: A Record of Events Kept by John A. Sutter and his Clerks at New Helvetia, California, from September 9, 1848, to May 25, 1848* (San Francisco, 1938), p. 49.

37. *Ibid.*, p. 51.

38. *Ibid.*, p. 85.

39. *Ibid.*, p. 123.

40. Veterans Administration Records, National Archives.

Principal Actions of the California Junta De Fomento, 1825-1827

Translated by Keld J. Reynolds

(Continued)

[Continuation of correspondence relating to Politico-Mercantile Plan]

Junta de Fomento de Californias.

Most Excellent Sir:

This junta, in compliance with the superior order of November 5, last, sent from Your Excellency's office, named a committee from its own members to prepare a revision of the project referred to, which is enclosed; and having carried out in all of its parts the instructions from the junta, it encloses the original for Your Excellency, calling the attention of the Most Excellent President to its importance and value, and desiring that as soon as the project is made effective the republic may begin to reap the benefit it offers.

Also enclosed are the reflections which the author of the project presented to the committee, and which are worthy of being presented along with the resolution on this matter.

May God guard you many years.

Mexico, December 16, 1825.

Tomás Salgado
Francisco Fagoaga
Servando Teresa de Mier
Alejo García Conde
Isidro Icaza
Pablo Vicente Solá
José Ignacio Ormaechea

His Excellency the Secretary of State of Interior and Foreign Relations.

Note: The reflections with which the preceding letter deals are not given to the public, because they are political observations which should be examined only by the supreme government.

Office of the First Secretary of State, Section on Government.

The Most Excellent President, in view of the report from you on the subject of the establishment of a company with the name "Asiatic-Mexican," has been pleased to give his word of approval, and if you will proceed with the printing of this project of which you are the author, you may make use of the authority which Article 31 of the Constitutive Act confers on every inhabitant of the federation.[101]

May God guard you many years.

Mexico, July 12, 1826.

Camacho.[102]

Señor Don Francisco de Paula Tamariz.

[*Va.*] PROJECT FOR THE ESTABLISHMENT OF A COMPANY FOR DIRECT TRADE WITH ASIA AND THE PACIFIC OCEAN, THE HEADQUARTERS TO BE MONTEREY THE CAPITAL OF UPPER CALIFORNIA,

and the name to be the Asiatic-Mexican Company, protector of the development of the California peninsula. The plan is presented to the Most Excellent President of the Federation of the United Mexican States by the citizen Francisco de Paula Tamariz, voting member of the Junta de Fomento of that territory.

Most Excellent Sir:

Article 1. The organization of the junta, created for the purpose of considering and proposing the most adequate measures for the development of upper and lower California, is in irrefutable testimony to the desire which animates the government to accomplish this great objective.

Article 2. Its laudable example inspires in me the idea of contributing some measures capable of furthering that glorious design; presenting them with the greatest forcefulness and least delay in order to help it, as well as the temporalities[103] of the missions, the Pious Fund[104] assigned to them, the public treasury, and all the valuable assets with which nature has endowed the undeveloped peninsula that the plan is attempting to bless.

Article 3. The sad state of the first; the peculation, questionable records, destruction of the foundations, and the diminished size of the second, with respect to the greatness of the work to be undertaken; the many important details, ordinary and extraordinary, and the necessity of using some extreme measures in order to bring them to maturity, are certainly obstacles which challenge us to the quickest and brightest launching of this most profitable project.

Article 4. The remedy which presented itself to me in this perplexity, and without doubt an advantageous and quick one, was of a company for direct trade with Asia from the port of Monterey, and from south Pacific ports with the Californias and the adjacent islands—a company to enjoy exemption for twenty years from a part of the taxes paid by the rest of the ships of the nation, the other part to be remitted as national credit. Not knowing what had gone before, the lawyer Don Pedro Dionisio Cardenas, voting member of the said Junta, proposed the idea in the second of the sessions he attended; since then I have been associated with him and we have proceeded to extend the memorandum and project which we now have the satisfaction of presenting to Your Excellency, complying with the executive order sent me following my initial efforts.

Article 5. We were led to the idea of this direct commercial connection with Asia by the memory of the remarkable trade from Manila[105] to Acapulco and San Blas, which made the fortunes of the Philippines, greatly benefiting them in spite of the increased taxes they were charged.*

*The freight charges and interest in this trade rose in wartime to at least eight per cent. [*Erratum* at end of V*a* corrects this to eighty per cent.]

Article 6. The geographical position of the said peninsula is incomparably better for commercial enterprises with Asia than was that of the former entrepreneurs, the more so if the company's headquarters are located at Monterey, the capital of upper California (36° 30′ north latitude), where advantage can be taken of the well-proved short voyage from Macao[106] made with the trade-winds, whose convenience none of the European nations can take advantage of without the danger resulting from the increased length and hazard of the voyage and the lower latitude of the south Pacific ports from which they might wish to set out.

Article 7. At what cost would the people of Manila have bought this gift from heaven to the North Americans? To what incredible level would their profits have reached above what Europe enjoyed and never exhausted in its transactions? But our advantage lies not alone in this. The Philippines founded their affluence on a weak industry and on an uncertain foreign commerce, because, in contrast to the Californias, particularly the upper, they lacked riches on their own soil—the fundamental basis for a flourishing commerce.

Article 8. Upper California presents a most attractive scene, with its wide prairies, delightful and extensive pastures for cattle and sheep, of types unknown in Europe, which they breed and keep. And they all attach great value to their gigantic forests, hills and mountains, for hunting and the cutting of a variety of woods, including those used in building; their mighty rivers with tasty fish and beautiful banks draped with trees of different kinds; grains of all sorts, or at least of the principal kinds which are known; delicious tasting wine and oil; exquisite American and European fruits; flax and hemp; vegetables and legumes; common and rare barks and aromatic gum; salt as white and clear as crystal; products suited to the making of rigging and the manufacture of cables and sailcloth; bitumen, and other articles used on ships; cattle and their hides, deerskins, wool as fine as the merinos of Spain; and large mineral deposits of gold and silver in the greater part of the mountain range.[107]

Article 9. No less does the sea demonstrate its boundless opulence; ordinary fish and those in great demand such as salmon, flounder, eel, shad, tuna, hake and small fry, sea-otter, seal and whale, are the gifts with which it lures and excites the ambition of the foreigner and which constitute its true enchantment.

Article 10. This is a mere sketch of the treasures the Californias contain—and what can extract them but the powerful hand of commerce? Once the workman is assured of the quick and profitable disposal of his crops, he will strive from personal interest, which is the greatest incentive for advancement and improvement. He will cultivate his lands, and he will use the waters by means of dams in the rivers and other hydraulic devices and improvements. He will develop such lines as sugar, coffee, cacao, silk, wax, cochineal, indigo and other dyes, medicinal drugs, and the rest of the valuable articles to which the territory is well suited. He will speculate on the discovery of spices, as valuable as those that are native to India have been up to the present. He will multiply cattle for use and income, and will not neglect to build a dwelling house, nor to provide the necessary workshops, roads, and convenient canals.

Article 11. The arts which are put to work by a country's production will never be set in motion unless commerce gives them circulation; having it, the artisan works steadily and with perfection, the factories make what is needful; capital goods, mills, engines, and the rest of the things required for manufacturing and handiwork will come to light.

Article 12. Fishing, pearl and fur hunting, and other maritime industries depend no less on mercantile activity and protection through exportation to promote them and give them life. In consequence of all this, it will beyond a doubt be through commerce that those wilderness areas will be populated.

Article 13. Commerce is the vehicle of agriculture, the arts, industry, and navigation; they are asking for arms, which large settlements of men will supply. The slothful will be employed, as will the unprofitable man and even the one dangerous to the republic; they will become profitable and industrious, and the payments of the poor will go to their true creditors; the women and lazy children, who will also find occupations suited to their sex, will cease to be social liabilities.[108]

Article 14. The shipyard which the port of Monterey invites with its healthfulness; the abundant quantity of lumber and shipping materials which it can provide as well as sailors, will increase the population and provide the large labor supply it needs. The great demand for large and small merchant shipping facilities will serve the same purpose, as will the shipping destined for the inescapable defense of the extended coasts of both the Californias.[109] A few gunboats and four to six armed schooners will suffice for the second objective in case of war, a plan which a formal department of marine could materialize in a short time, more suitably than has been the case at San Blas and with great advantage to the republic, an advantage so obvious as to need no defense.

Article 15. Instead of the working of mines with good veins and laws to stop depopulation, as various authors suggest, who will doubt that the course most favorable for the circulation of money is offered, with generous liberality, by fruitful and well-tended fields, skillfully managed trades, and an industry which is perfectly directed and which has an adequate number of workers? No one can deny this truth, nor deny that, if the help which mining gives is acknowledged, it will pay with usury the farmer, the craftsman, the industrialist and the mariner, scattering gold and silver through the land, over the hills and woods, along the rivers, the sea and its shores, furthering the respective activities of everyone.

Article 16. Fortunate Californians, in the midst of the land of promise, after the long captivity and suffering which tried the unfortunate Egyptians [*sic*]; prosperous the inhabitants of your broad mainland, Sonora and Sinaloa, forgotten by your discoverers, but benefiting by your fruits, cattle and enormous mineral deposits; happy the border states of Jalisco, Chihuahua, and New Mexico, as yet in the cradle; fortunate are all those wandering without means of livelihood who will direct their steps to that paradise, bringing some profitable skill.

Article 17. Fortunate also are our brothers of South America, with whom we have just bound ourselves in this new and sweet relationship; and finally, fortunate is this hemisphere, its four quarters bathed in riches by the rule of abundance which seeks enlargement for all.

Article 18. What a beautiful prospect, especially to the sharp eyes of the children of Anahuac, who will see at one glance what amounts to our acquiring first hand the riches of China, carrying fortune to that oriental region on the platter which hindered us unmercifully for so many centuries while strangers throve; the transfer to our soil of the wealth of Peru; the winning of allies under the auspices of Neptune, who has a special gift for making them; the guarding of our colors by soldiers who give them due respect, and by the sciences and useful arts which give them luster; and above all, attracting a great number of people to a true knowledge of religion, a matter which the California junta has so strongly recommended to Your Excellency, and in which the zeal of our Catholic government should be outstanding, recognizing that the Spaniard left this account with the Supreme Being unsettled, because he did not discharge the principal obligation which the Alexandrine bull imposed in justification of the conquest.[110]

Article 19. It falls to us to discharge it because the Lord in His divine mercy has put in our hands that precious flock; we must hasten to urge them into the protecting fold of the church, using the weapons of Jesus Christ, abandoning those of Mars and the devilish ones of superstition. This enterprise is most significant and worthy, and for winning them we will be rewarded with the blessings of heaven and the temporal rewards which men can expect who see the light of dawn and enjoy the blessings of a rational life in the civil and religious society of its new apostles—this, as the definite result of commerce, in spite of the prejudices which are frequently heard on this point from the mouth of the vulgar.

Article 20. The most ungovernable wild beast can be domesticated to impulses of mildness, agreeableness, and the desire to please; there is not a savage whom industry cannot tame and who does not at once become tractable when he gets what pleases him; the mutual attraction of the species is natural; the heathen and the Christians have the same nature: if cruelty and dissatisfaction separate them, praise with artifice and prudence will reconcile them.[111]

Article 21. We should not pretend to have any authority over their liberty or their goods; the least infraction here should be punished with the greatest vigor: kindness must be substituted for violence, and good faith for duplicity. They are to be predisposed to baptism with pleasing ceremonies and with positive proofs to inspire their confidence.

Article 22. The most intelligent of the principal Indian tribes so far converted, well provided with offerings of valuable gifts, should be the means of contact, carrying our presents to the infidels, on their lips the persuasion of our beneficent ideas. They should also be urged to enjoy what their lands can produce–spontaneously or with a little work and industry—for exchange or sale, so that they will be certain to secure for themselves the most valuable articles, as we direct them with our instructions, while time provides them good agriculture.

Article 23. Fairs or public markets on certain days, games and shows suited to their nature, and well-stocked stores where they can buy and barter with complete liberty and without fear of any sort of extortion, are means which will greatly assist our designs.

Article 24. History offers examples in Asia and Africa which destroy the false opinion that these desires are impossible; and we have examples also in the French islands of North America. In them the Parisian strangers took possession of the rivers and lakes, in order to secure communication with the independent Indian nations. At set distances they established great outfitting stores, and smoothly and imperceptibly they gained these nations' good will to the point they were ready to shed their blood for the king of France, to whom they gave the title, *Great Father.*

Article 25. Without hesitation they would travel two and three hundred leagues every year to be present for the great fair at Montreal which lasted three weeks, where they exchanged their furs and other goods for hunting and fishing equipment and a variety of merchandise, all in the presence of the governor, who solemnized the act.

Article 26. We should follow in their footsteps; we should imitate such an enlightened system, with the advantage that we were born in the same zone as were those we are trying to convert, and if they hated Spanish domination, the object of their hatred is taken away.

Article 27. To commerce–we do not grow tired of repeating–to that immense abundance which trade by sea and land produces, we commit the salvation of the heathen and the execution of our unfinished triumphs, and, let us hope, the literal fulfilling of the heretofore partial concepts presented by those who trusted in them, from the most remote centuries until our own day, under circumstances less propitious than ours. Athens, Tyre, Carthage, all had command of the arts, and great contentment and formidable influence throughout the time they were large commercial powers.

In the same way Venice on a few small islands, Genoa and Holland in their unfruitful countries, and Pisa in a narrow district, made themselves dreaded. England, limited as to grains and prairies, has become the giant of the whole world; and its ancient subjects, the North Americans, have entered through the door of commerce into the temple of their independence and liberty, with resulting devotion to the fathers and their emulation today.

Article 28. We should arouse ourselves to a virtuous emulation, and dispel the drowsiness of our dreaming with the cry, not of a few scattered ones, but of many well-organized enterprising ones, in such beautiful harmony that they awaken us with feelings of joy. This is the company of the project, the company most like the best designed patterns for its creation.

Article 29. They no doubt demand a solid and permanent corporate body, which, with the support of the nation and great wealth, will make plain the unity of its government, the stability of its capital, the firmness of its regulations and its purity of management under the faithful direction of intelligent persons, of known probity and with interest in the company which binds their zeal to its honor and advancement.

Article 30. This is precisely the kind of corporation which will win public confidence: in any disturbance whatsoever it will obtain with its credit the amounts needed, and it may even undertake transactions greater or superior to those already in existence; it secures for settlers the necessary harvest hands and artisans with needed money and materials; develops all kinds of industry useful to it, and, in order to assure the good outcome of its speculations, it maintains on the sea the coast guards who cause smuggling to disappear, that destroyer of legitimate trade and helper of the enemies of the state—all this in a peninsula which can be called the key to our coasts, because of its geographical location and the fact that it is the object of envy because of its riches.

Article 31. These services, and the enormous weight which their obligations lay upon the company, demand imperiously, with respect to commerce with Asia, the exclusive privilege indicated in paragraph 4, which may offset the great expenses which are impending or the misfortunes which can cause it to fail.

Article 32. Such disguised favors would cause surprise under ordinary circumstances, as when someone sacrifices public for private interest through odious monopolies; but the surprise will give way to reflection.

Article 33. The greatest and best part of the fruits and goods for that trade the Mexican nation does not produce or make; and thus the possibility of monopolizing agriculture and national industry, which would be the most pernicious, is very remote.

Article 34. The consumer, the only one who can complain of suffering under the hard law which the seller of such commodities imposes on him, will not improve his fortune in free trade in them, because under that system he cannot hope for frequent expeditions from that remote region nor for a sufficient supply. On account of the incompetence of the agents and the scarcity of the shipments, they will raise their prices above those the company can fairly set.

Article 35. This is one of several reasons why writers set themselves strongly against giving permission for exclusive organizations to speculate or trade in distant or foreign lands. Yet they prefer them to individual traders without capital, aids, and the constancy demanded for long journeys or the means to resist dangers en route, who cannot make uninterrupted delivery of the goods demanded by the urgency or the desires of the people.

Article 36. Without such resources, and for fear of large monopolies, there can be no work for swift ships sailing directly from Asia to California, much less from Europe to the peninsula or to Sonora, Jalisco, Acapulco, San Blas, and the rest of the southern states. The journey being incomparably longer and more strenuous, those undertaking it, because of tariffs, freight rates and expenses, will raise as high as they wish the cost to the second buyer in our ports or in the northern provinces, when, having unloaded, they hold markets in these ports.

Article 37. Even when commerce is free, through concession of the respective governments, it will always be exclusive by nature and more or less monopolistic if its goods are licensed or privileged, if the seas in which it operates are not easy to navigate, or if it can avoid the expenses and interference which ordinarily exist, as is exactly the case with the company.

Article 38. The exclusiveness which the law refuses it acquires in fact with the cautious beginnings of another trading concern; and if they are foreigners, they will become powerful under these favorable circumstances, with no relief for the consumers and without the advantages of guardianship by the nation, as would be afforded with the proposed company, perhaps with noticeable results to the political order. If we neglect this we will advance the fortunes of strangers, in whose commerce our participation is merely passive, and we will not recover the slight advantage which, with less reason, is given to the inventor, perfector or originator of some new branch of industry, in spite of the monopoly imposed on them.

Article 39. They, as a matter of fact, though lacking in means, can inflate the value of the invention, perfected process, or new introduction above what is necessary, in order to reimburse themselves for their expenses and to secure a regular interest in the business. Writers completely justify such conduct, because they say that those who are privileged do not destroy or cut off any other known industry; that those who wish or have the means can buy, and the needs or desires of those who cannot buy will be satisfied no less than before, all arguments particularly favorable to the privilege asked for the company.

Article 40. We can again invite the commerce of Asia as the Manila merchants did, who are now foreigners by their geographical position and who have powerful aids and useful relationships which we lack. Now we are going to establish this trade for the good of the republic, and not to pay tribute to some other nation as we did to make the fortune of the Filipinos, raising them to the sphere where they are now seen.

Article 41. For the rest, the company, like the inventor, perfector and originator of previously unknown branches of industry, will leave the consumer at liberty to buy or not as he wishes, and will not raise the price of necessities above the ability of the consumer to pay, thus placing itself on an absolute equality with inventors and perfectors. Why should it not have the reward, particularly when it certainly benefits the consumer?

Article 42. In order for those others to secure the privilege or monopoly it is sufficient that they offer one single invention, one single useful article perfected for agriculture, the crafts, or commerce; while the company, trading on a large scale, spending enormous sums, using the greatest care and application, will offer, not one single convenience, but many, perhaps all which are demanded by the expanding industries of farming, manufacturing and commerce; and what is more, it will give impetus to the shipping industry, which, considered in its relation to the security of the state, is one of the highest importance.

Article 43. No one doubts that the art of navigation which serves commerce serves also for war: that the building of a navy is a military development, and consequently, that the nation which has more people employed in maritime activities necessarily has a better military position. And which gives greater assurance of the success of these ideas—a free commerce with voluntary and uncertain sailings, with eyes only for the dispatch of chance cargoes and individual profits, or a company with extended ramifications, pledged to flourish for a set period in the interest of the shareholders, with stimulation from the concessions for which it has been singled out and the good sense of the directors, a company which demands many hands for steady work, now on the sea, now on the rivers, sowing the seeds of a force of seamen which will in time reach respectable proportions?

Article 44. May Your Excellency use your suave and effective influence with the supreme Congress for the adoption of this plan; may you put to use the resources of your great genius, and, displaying your magnificent talent and patriotism, may you add these arguments to the convincing ones they already have.

Article 45. In the innate justice and paternal clemency of Congress itself the plan will no doubt find a most benign reception, and its illustrious members as well as Your Excellency will share the blessings which the Californians receive and which they will pass on to future generations, eternal monuments to give publicity to the virtues which advanced them, the gratitude of those they benefit, and the glories of the finest government on earth.

At the same time the world will see that scarcely had a new sun arisen over our hemisphere, before the potency of its rays began to melt the chains of oppression, and its brilliant light successfully discovered the road to the wealth its children had longed for, had sought with their blood, and had with constancy pursued.

God and liberty, December 14, 1825.
Francisco de Paula Tamariz,
Pedro Dionisio Cárdenas.

ERRATUM: In the note at the end of page 4 [of the original; see, *supra*, footnote to Article 5] it reads: *eight per cent;* it should say: *eighty per cent.*

[V*b*.] THE PLAN OF GENERAL REGULATIONS FOR THE ESTABLISHMENT OF THE ASIATIC-MEXICAN COMPANY

REGULATIONS[112]

Article 1. This company, which is to be called the Asiatic-Mexican Company and entrusted with the development of California, is established under the immediate protection, for twenty years, of the supreme government of the federation. It is to be wholly commercial, subject to the laws, without meddling in political matters.

Article 2. For the present its capital will consist of four million *pesos*, divided into two thousand shares of two thousand *pesos* each, one thousand in actual cash and the rest in credit authorized by the general board of the company when it is installed, and meanwhile approved by the office of the secretary of the Treasury with suitable and customary formalities.

Article 3. The company will be permitted to borrow money at interest and to make use of other known lawful means, always with the understanding that its own administration is to decide on matters of urgent necessity or probable good.

Article 4. If it happens that the duly commissioned agents and clerks of the company suffer some loss, in spite of the prudence with which it ought to proceed with its appointed work, the losers are to have precedence over all other creditors for the recovery of their property or funds, which are to be considered deposits and held in specie or in the products of the company. The declared preferment will apply to the wives of the said commissioned agents and clerks. Before their husbands are hired, they will each execute in favor of the other the suitable instruments to safeguard the intentions of this just article, and if they are not married at the time of hiring, they will execute the instrument when, for that purpose, they notify the company of their new married state.

Article 5. Consequently, although proceedings may be started against the insolvent, their management or administration, or their shares extrajudicially disposed of, matters pertaining to the company will always proceed with complete regularity, through its successive transactions in money, goods, accounts, books and papers, and whatever is lacking will immediately be restored without opposition.

Article 6. The company will not be subject to hypothecation nor under any obligation for the personal transactions of the shareholders interested in it, nor of their agents or employees. On the other hand, these will not be molested or disturbed in person or goods by the transactions in which the company is concerned.

Article 7. Funds invested in the company are not subject to attachment or seizure for crime, still less for civil offenses, until after the dissolution of the company and the complete liquidation of its debts and obligations; but those who have to demand their payment will see to the holding back of the part of the profits which is distributable under the name of dividends.

Article 8. The funds of the company are specifically pledged to all the contracts made by it.

Article 9. In the same way in which it has to meet its obligations under the guarantee of the supreme government, the latter will dispense whatever funds it has to the company's credit so that it can make its payments dependably and completely. Under no pretext is the government to permit any other use of the company's funds, even on the condition of quick repayment, since public confidence depends on the existence of these funds for its transactions, so that the purpose would be frustrated if the funds were scattered to alien objects, even if it were for only a short time.

Article 10. Lawsuits which are instituted are to be prosecuted in the people's court and tribunals, but always dispatched with the just consideration which their commendable and high objectives demand.

Article 11. For the twenty years of its duration the company will enjoy exemption from a portion of the taxes and provisions made to satisfy them with respect to those who pay duty on the goods which the company will carry in its boats coming from Asia, but not for their other transactions in the Pacific Ocean.

Article 12. In shipping, preference will be given to the products and manufactures of upper and lower California, and of continental Sonora and Sinaloa, although the principal object of the company is the development of that valuable peninsula; lacking them, or if a variety of products are wanted to suit the needs of the border states, then the company will carry the products of Jalisco, Durango, Chihuahua, New Mexico and the trans-Pacific Ocean.

Article 13. The exportation of all the commercial articles of which the preceding article treats will be free of duty as it is today, and the same with foreign goods in which the company cares to speculate, with the qualification that the latter must pay the duties assessed upon entry, according to the current general laws of commerce.

Article 14. As trade with China cannot be carried on entirely with the products described, the company with complete freedom from customs duties will export the currency needed for its shipments.

Article 15. Monterey, the central point of this commerce, will be declared a free port, and therefore the Asiatic goods and fruits deposited and sold there will have neither sea nor land taxes charged against them.

Article 16. As soon as the company's ships clearing from Asia cast anchor at Monterey, under the direction of the former a manifest will be given and circulated to the states of the Mexican republic and to South America, giving a detailed account of the kinds, quantity and prices, which will be set with due regard for the principles of equity on the goods in the shipment.

Article 17. The goods introduced by the company through the inhabited ports of the South Sea will pay duty according to value, as stated in Article 43, enjoying a one-fourth reduction from the taxes paid on the same kinds to the national treasury under the Mexican flag, with attention to the obligations binding on the government in behalf of the company. Of the four per cent *ad valorem* tax collected to augment the funds needed to develop the Californias, one-third of the amount of the tax may be paid to the treasury in the same credits which were intended for financing and establishing the company. By this means the government continues to fund this sum without inconvenience and without increasing the revenues upon which it is dependent.

Article 18. Whatever is bought in Monterey as a free port, will enjoy an absolute exemption from taxes.

Article 19. All goods, after the corresponding customs duties have been paid, will be considered national, and as such will be subject to the general commercial provisions.

Article 20. In the sale of goods and produce from contraband or from prizes taken by warships or single corsairs, preference will be given the company at the same price the other buyers offer.

Article 21. The company must be careful to consult its own interest, as to workers, seals, and the rest of the precautions which will prevent the confusing of its goods and produce with those others it will attempt to introduce at the port.

Article 22. It can have no less care, instead it must dedicate the greatest possible care, in seeing that its ships and men give no cause for complaint, nor cause the least misunderstanding with any of the Asiatic nations, trying on the contrary for the greatest harmony in order to gain their love and make our future secure.

Article 23. Besides the Asiatic commerce which the company has to carry on with the concessions explained in Articles 11 and 17, it will have the California coastal trade, and the trade with the islands and the Pacific coasts of the Americas, but without the same privilege of modifying the ordinary laws. Since even the laws of the government of the oppressor gave to the

California ports, classed as minor, and in general to those of the south, freedom from taxes all around, especially on the produce and goods of the country, it does not seem that the present government, full of kindness and charity, would deny this favor, much less since it destroyed the earlier authority for the weightiest reasons of necessity and advantage.

Article 24. The company which will take special pains to export that which can be disposed of to advantage and to import that which will bring the greatest profit—the basic scientific principle of commerce—is more worthy to receive consideration than the uncertain and rash hands of free commerce, managed without our participation or interference.

Article 25. In the withdrawal of money necessary for the activities described in the preceding articles, the general regulations as to the obligation to pay or the freedom from fees or duty, current in those seas, will govern with respect to the company.

Article 26. Under no circumstances are they to pay anything into the national treasury for the shipments which must be made to move the company's manufactures or the goods it must buy to meet emergency needs, nor for the rigging, the military stores, the lumber to be sold or used, or the provisions for the crews; instead, the government will provide them all the help needed for their relief.

Article 27. For the arsenal, warehouses and offices it will need, the company will select convenient sites near the shores of Monterey and other sheltered ports or anchorages of upper and lower California.

Article 28. The officers and seamen who serve the company's shipping will have in transit the same rights and privileges which are enjoyed by those of the national navy, and they are not to be employed in any other service.

Article 29. For admission as officers and seamen, preference will be given to the natives or inhabitants of the Californias, Sonora, and of those United Mexican States which the company will in good faith designate. Foreigners with similar qualifications are not to be excluded, but the company will see that the majority of the crew members, or at least half, are the sons of America.

Article 30. The old and experienced naval officers, who accommodate the company by serving on the China run, are not to be hindered in their promotion by the foregoing; instead, they are to be singled out for special honor, for discharging their duties with skill and patriotism.

Article 31. The colors flown will bear the coat-of-arms of the Mexican republic and the initials of the Asiatic-Mexican Company, which are C. A. M.

Article 32. Besides the matters already explained, the interests of the company will also include fishing, whaling, sealing and pearl hunting, all branches of commerce on the sea, and all related activities by which the respective enterprises can give mutual aid.

Article 33. In these enterprises the company will enjoy exclusive privileges, with respect to foreigners arranging that transactions be made outside of the company itself, since these activities are so valuable as monopolies of the nation that no one outside of it would be permitted to profit from the industry.

Article 34. Fishermen will be given a part of the catch in place of day wages, because this will bring greater benefit to the company by encouraging effort and application; thus a beginning will be made of a fishing industry which in time will furnish great as well as small commerce for the nation.

Article 35. Californians and Sonorans will be given the preference in all branches of this service.

Article 36. The company will be empowered to establish posts at points suitable for fishing, also conveniently located warehouses; both to be exempt from the payment even of the least remuneration for police inspection.

Article 37. All the contracts made between the company and the fishermen are to be entirely free and without restrictions or regulations other than those stipulated by the contracting parties, and without interference from public officials whatever their rank, who can never hold an interest in their trade on pain of losing their position and the money they have invested, which will be given to the person who proves the violation.

Article 38. They will also, with complete freedom from taxes, make all the purchases needed for their ships or for the construction of canoes for the establishment of pearl hunting and whatever is needed for it.

Article 39. The company will be given the full benefit of the immunities described for its fishing business at home and abroad, assured that the business will proceed in the seas and rivers where protection is attempted, under the guidance of the company and the oversight of the authority specified by the government, thanks to whose attention an impulse is to be given to the coastal trade which now is found to be so sluggish on those shores.

Article 40. Since fishing alone is unable to provide a living for the families of the fishermen, particularly in the seasons when it ceases or is intermittent, the company will give them preference in its shipping service, or in the manufacture of sail-cloth, rigging, rope, and the other articles needed to equip and outfit boats.

Article 41. All the preceding articles from 34 to 40 are to be understood and obeyed as applying to whaling for spermaceti or oil, hunting the sea-otter and the seal, taking sealskins, hunting for pearl, and industries such as gathering oysters, mother-of-pearl and others.

Article 42. The company's activities enumerated above will tend to develop agriculture and industry in the Californias. Their prosperity will reflect benefit to commerce and their progress is related to that of the company, whose gains will be greater as the rich springs of the peninsula are made to flow more freely. This will be so in so far as the company repays these favors in the manner described in the following articles.

Article 43. When the goods brought from Asia in the company ships are unloaded at Monterey, they will pay four per cent of the invoice price for deposit or storage. This large sum may be appropriated to the important settlements or factories to the extent needed to provide for the peninsula.

Article 44. The company will encourage colonization and will transport in its ships the families of colonists, master craftsmen and able artisans, instruments, machines, and everything necessary for the industries of agriculture, manufacturing and trade in the Californias, as much as the government may ask for the said establishment; it will take the responsibility of the payment of charges which the government imposes in the form of *ad valorem* duties or taxes, and it will respect its responsibility to assist in such a way that the service of the company in the region will be solely that of providing generous and free transportation and increasing wealth by the importation of the goods asked of it.

Article 45. Since smuggling will be as injurious to the company as to the nation, in order to avoid it the company will offer to aid the government on those occasions when it needs to arm the revenue cutters essential for this purpose.

Article 46. When the company's term has expired, it may sell or otherwise dispose as it wishes of everything it has bought or made, always giving the preference to the government as to ships and the other things the latter may need, both parties supplying appraisers' estimates in the legal and customary manner.

Article 47. The capitalization of the company having been explained, it remains to deal with the means and the regulations by which it is to be accumulated.

Article 48. Not only the citizens of the United Mexican States, but foreigners of whatever class, state or condition they may be, if they are experienced in general trade, are permitted to have an interest in this company.

Article 49. The government, in order to promote so valuable an organization and in order to demonstrate to the company the goodwill with which it has been received, will declare itself a stockholder with fifty shares, and, since this demonstration would be difficult to manage with cash under the circumstances, it will be done by not collecting, to that amount, the taxes due from the company's first expeditions; hoping that as a result of this example the states, reverend bishops, venerable municipal corporations, the orders of regulars and their members, monasteries of the religious orders, illustrious town councils, important officials of all classes (not excepting those with small incomes) will interest themselves on their part, doing all they possibly can, adding this proof to the many they have given for the benefit of the nation.

Article 50. Since the prosperity of upper and lower California and their inhabitants is the principal objective of this company, and the government desires that besides the advantages which will result to them from the increase of agriculture, industry and shipping, they may have a more direct interest in the profits of the said company, the latter reserves for the present fifty shares which, at the end of six years after the proclamation of this arrangement in the peninsula, can be acquired by the corporations, charitable foundations, natives and the rest of the settlers, according to and in conformity with the process described in the preceding article.

Article 51. In case of war so serious that the shareholders are subjugated, their property rights are to be recognized as inviolable and protected by the law of nations, allowing them to dispose of their shares as they wish.

Article 52. On the death of foreigners with interest in the company, acts will be passed permitting their respective heirs to inherit according to the laws of the countries of which they are natives, making them legally binding.

Article 53. No shareholder may retire his stock from company funds, but he may trade it or sell it by a simple endorsement, whether at the greatest or least value placed upon it by public opinion; this will not lower or raise the original value with respect to the company.

Article 54. If the shareholders agree to increase the capitalization by leaving in the company their surplus profit, those who increase it with this surplus will be preferred above those having no interest in the association, in the sense that the designated value of the new shares will not be altered nor varied, to avoid abuses and confusion in the adjustment of accounts.

Article 55. For a period of four months, counted from the date of official publication and announcement through periodicals of the approval of the company and its by-laws, with a proclamation by the *empresarios,* general agents and bond-brokers, setting forth the advantages offered, they will address themselves to those who wish to subscribe, whose requests will be recorded in well-organized books, giving the names of those who are asking to become subscribers, their nationality, address, the number of shares they wish to be responsible for, the manner of payment according to the explanation in Article 2, and the dates of their respective contracts, it being understood that citizens of Mexico have the preference for becoming shareholders in the company; but when the specified time has passed there will be no preference shown those who ask.

Article 56. In consequence of the preceding article, when the predetermined time has passed, the *empresarios,* general agents and bond-brokers will proceed to admit without distinction any individual or corporation which desires to have part in the company, up to the maximum of two thousand shares, which has to be the number according to and in the form prescribed in Article 2. The *empresarios* will always proceed in such a manner as to maintain, by their own efforts, the value of the surplus shares and to dispose of them at their legitimate value, a trust which they must satisfy with respect to the handling of the shares and their other expenses until the board of directors has been created and has determined the percentage which may be charged for handling or trading in shares, in the southern republics and foreign lands as well as in the Mexican republic, settlement for which will be made as soon as the money has been collected for the shares entered in the books referred to in the preceding article, in which the record of values is never to be withheld from the public.

Article 57. As soon as two-thirds of the shares have been disposed of, the *empresarios* will, with the knowledge of the superior government, call a general meeting of the stockholders, which will, in order to avoid the confusion resulting from numbers, include those who have subscribed to twenty-five shares, the minimum number they have to represent in order to vote. Those who do not have this number may go together to get it, and agree on a representative to vote for them, with the understanding that, in order to avoid abuses, neither the owners of the twenty-five shares nor the one empowered to represent them, however much they may exceed the number, shall have more than one vote. Corporations which hold interest will also be members through the agents they appoint, but only according to the accepted rule.

Article 58. The board, of which the *empresarios* will be members, and over which, in order to give it authority and luster, the Most Excellent President of the United Mexican States will preside, or a person of the same rank whom he will name, will elect by majority vote seven individuals from its members, more if they are not all merchants distinguished for their ability, experience and probity. These will have the title of directors, and will be empowered to establish and organize the government of the company, its officers and clerks, prepare the by-laws and instructions which will describe their duties and those of the agents or factors, warehouse guards and the rest of the employees, and will see to the clarity and sensibleness of the accounts and records, the security of the investments and the solid credit which assures public confidence.

Article 59. As soon as the directors have been elected, the meeting will adjourn, the president will retire, and the *empresarios* will turn over to the board of directors the books spoken of in Article 55, bringing also to their attention whatever they ought to know of importance to the well-being of the honored association they are about to manage, so that the government will not have to interfere in so vast and complicated an administration, happily concentrated, completely and absolutely, in the hands of the interested persons.

Article 60. The board of directors will be empowered by the authority which approves these regulations to increase the capitalization and surplus of the company from the specified four million, under the qualification and conditions already described, to whatever they may consider suitable and necessary for the greater development, increase and extension of its enterprises. As a first undertaking they will arrange to have the shareholders who are already organized or entered in the books make their respective entries for the safeguarding of their investments, the entries to be exhibited in the way that has been found most suitable, etc.

Article 61. On the last day of each month a general audit is to be made, reduced to a clear and absolutely exact report of the stock in hand and the operations of the company.

Article 62. Every year there will be drawn up a balance-sheet of the moneys, stock in hand, fixtures and credit of the company, which will be presented to the stockholders' meeting, with an explanation of the transactions undertaken and completed in the period it embraces, with the accounts adjusted to the cost price and not to expected sales prices, and the rest adjusted to sensible values which take into account the depreciation they must suffer.

Article 63. Having been fully informed, the stockholders' meeting referred to will arrange to have printed and published a report of the profits there have been, and will also come to agreement as to the distribution which is to be made to shareholders, those who will have no other responsibility for the dividend holdings they respectively receive, than to show their shares, identify themselves, and show a receipt in the commercial style. Under these circumstances the payments can be made at the places selected by the stockholders to save them from inconvenience.

Article 64. The company will give security to the government for the payment of notes and other matters pertaining to its sphere as soon as the board of directors is elected.

Mexico, December 14, 1825.
Francisco de Paula Tamariz.
Licenciado Pedro Dionisio de Cárdenas.

NOTE: One must bear in mind the orders of the Spanish Cortes, of March 23 and April 16, 1811, concerning the lifting of customs duties on fruits and products from California, and those which previously went into effect relative to the purchase of boats, marine stores and other fishing necessities, etc.[113]

(To be continued)

NOTES

101. This is the freedom of the press clause (White, *New Collection*, I, 379), repeated in the Constitution of 1824 (Sec. V, Art. 50, No. 3).

102. Sebastián Camacho was Minister of Interior and Foreign Relations from November 3, 1825, to July 5, 1826, ending his services seven days before this letter was written over his signature. On July 12, 1826, Espinosa de los Monteros became Minister of Relations.

103. The temporalities of the missions, viewed from Mexico, would be in a "sad state,"

with the government making inroads into the Pious Fund, and the missionaries complaining that the soldiers were dependent on them, the stipends unpaid, the unpaid drafts amounting to over 500,000 *pesos,* and the Indians misunderstanding the rumors of liberty and republicanism, and in some cases running away or revolting. Actually, however, the missionaries were better off than any other class in the province (Bancroft, *California,* II, 406, 407, 488, 527-538).

104. On the Pious Fund of the Californias, *vide, supra,* Note 61.

105. Possibly the best study to date on the Manila galleon is that of William Lytle Schurz (*The Manila Galleon,* New York, 1939). Here it is stated that the average yearly returns on the cargo of the annual galleon amounted to two million *pesos,* during the more prosperous period, and in good years amounted to three million *pesos* (*ibid.,* 190). Little of the cargo was from the Philippines. The Manila merchants were the intermediaries, carrying the goods from the orient, through the Portuguese port of Macao, or directly from China. The galleon was known as the silk ship, and its most profitable cargo was the silks of China, the profits from which sometimes amounted to 400 per cent (*ibid.,* 26, 27, 32, 63; C. E. Chapman, *California: the Spanish Period,* 89). The bulk of the duties on the galleon trade was collected in Mexico, in the *almojarifazgo,* charged for the *permiso,* or entry. Generally ascending, this tax by 1808 amounted to thirty-five per cent of the Manila evaluation on the cargo (Schurz, *op. cit.,* 180, 181). Additional imposts were the *avería* (defense) tax, the *almirantazgo* (admiralty) tax, and the largest of this latter group, the *alcabala* (sales) tax of six per cent on passing the internal customs outside of Mexico City (*ibid.,* 181).

106. The eastward crossing was first made in 1542, the westward, because of the currents and prevailing winds and the difficulty of getting out of the Philippines, was not made until 1565. The voyages of Urdaneta and Arellano demonstrated the superiority of the northern circle, making landfall near Cape Mendocino, after which Monterey could well be a port of call for fresh water and other supplies (Chapman, *op. cit.,* 86, 87). Being forbidden to use the ports of Mexico and the provinces, other nations were at a decided disadvantage in making the westward voyage from China. Humboldt states that the voyage to Mexico from Macao could be made in twenty days, while it took other Europeans from six to seven months (*Political Essay,* IV, 88).

107. In addition to the official records to which the junta members had access, they undoubtedly drew heavily on Venegas (*Noticia,* I, description of California; III, reports of numerous voyages to California), and on Humboldt (*Political Essay,* I, 269-348). They may have been influenced by the glowing account of upper California by J. F. G. de la Perouse (*A Voyage Round the World, in the Years 1785, 1786, 1787, 1788,* description in II, 194-235), or by the scientific study made by José Longinos Martínez (*California in 1792*), the manuscript of which was discovered in Mexico by Henry R. Wagner, translated by Lesley B. Simpson, and published in 1938 by the Henry E. Huntington Library and Art Gallery. The first good description of California resources by an American, after the American occupation, was that of John S. Hittell (*The Resources of California,* San Francisco, 1863), which contains data on the climate, topography, geology, flora and fauna.

108. This argument suggests that of Father Alonzo Isidro Salazar (*Condición actual de California, 1796,* MS., 73-82), newly arrived in Mexico during one of the periods of interest in California, and reporting that the province was demoralized, with the inhabitants showing more interest in guitar playing than in the pursuit of their occupations and the education of their children.

109. *Vide, supra,* Note 100.

110. On May 4, 1493, Alexander VI issued two notable bulls. *Inter Caetera* contained the grant to their Catholic Majesties; *Charissimo in Christo* conveyed the privileges in

which were contained the basic principles of the *patronato*, and described the corresponding obligations to evangelize the natives. Parallel Latin and Spanish texts are found in Antonio Joaquín de Ribadeneyra y Barrientos (*Manual Compendio de el Regio Patronato Indiano*, Madrid, 1755). In the same vein was another bull issued by Alexander VI, the *Eximiae*, of November 16, 1501, to be found in an English translation in Emma Helen Blair and James Alexander Robertson, *The Philippine Islands*, I, 243-245, and reprinted in N. Andrew N. Cleven, *Readings in Hispanic American History*, 248, 249. A doubt in some minds that the Indian was worthy of the gospel, or even capable of receiving it, is implied in the bull *Sublimis Deus Sic Dilexit*, Paul III, June 17, 1537, in which the pope stated that Indians are true men, capable of the faith and earnestly desiring it. Las Casas had this bull translated into Spanish and distributed wherever he thought it was needed. An English translation is found in L. A. Dutto, *The Life of Bartolomé de las Casas*, 383, 384.

111. *Vide, supra*, Note 20.

112. This *reglamento* is copied in full in Mariano G. Vallejo (*Historia*, MS., I, 300-310), and is briefly summarized in Bancroft (*California*, III, 5, 6).

113. March 23, 1811, "By which is ordered extended to the Americas the exemption from *alcabalas* (sales taxes) and *cientos* (per cent taxes) in the departure of Spanish and foreign ships" (*Colección de los Decretos y Ordenes que ha Expedida las Cortes Generales y Extraordinarias*, I, 113). April 16, 1811, freedom to fish for pearls, hunt whales, sea otter and seal in all the dominions of the Indies. Also declared free was the result of such fishing and hunting, pearls, otter skins, sperma and whale oil (*ibid.*, 127-129).

Pioneer Agricultural Colonies of Fresno County

By Virginia E. Thickens

(Concluded)

[Continuation of early colonies northeast of Fresno]

The Church Temperance Colony

Moses J. Church, already mentioned as the "Father of Irrigation" in the county, was the organizer of this new colony. The date of its founding is somewhat disputed; however, by March 1878, 32 of the 20-acre tracts had been sold.[95] After subdividing the land, Church, a Seventh Day Adventist, put the lots up for sale only to those who abstained from the use of intoxicants. "Purchasers bind themselves," said an article in a local paper, "to use every effort to preserve the sanitary condition of the colony by preserving the purity of the air. They are not to make or sell at retail any intoxicating liquors and are not to belong to any secret organization or encourage such institution."[96]

Water rights accompanied the lots, and here also fruits and grapes were the main crops. J. W. Beall, a close friend of Church, came to live in the colony in 1877.[97] He became director in Church's Fresno Canal and Irrigation Company and was progressive in the interests of the colony. Another friend, the first to locate in the colony,[98] was J. D. Forthcamp, a native of Germany, who had come to Fresno in 1874. He was an enterprising man, and later became superintendent for several of the prominent vineyards. Forthcamp increased his own holdings, then subdivided into residential lots and sold them at a good profit.

The Scandinavian Colony

This colony came into existence in 1878, when a project was formed in San Francisco for the purpose of settling land either in Washington or Oregon.[99] After considering several sites in these states, some of the delegates visited the San Joaquin Valley, with the result that a section of land 3 miles northeast of Fresno was purchased from Henry Voorman, a member of the German Land Association. This tract had formerly been a grain ranch cultivated for Voorman by Antonia Days.[100] It had a sandy soil and was well supplied with water from the Kings River Canal. Altogether, it appeared to be ideal for a colony. Twenty-acre lots sold for $15 an acre, water rights for irrigation being obtainable by the purchase of shares in the canal at $50 each; actually the settlers acquired partial ownership of the canal.[101]

Bernard Faymonville was appointed Fresno agent and resident manager after successfully serving as agent for the Central Colony; Charles A. Henry became the San Francisco representative.[102] A week after the opening, 32 lots had been sold, and in the summer of 1879 the first settlers arrived. At first it was restricted to Scandinavians—the majority of the newcomers were Danes—thus giving the colony its name. However, as the restriction was not rigorously enforced, other nationalities soon were admitted.

The Scandinavians proved themselves to be most desirable as citizens, here as in the other colonies, adapting themselves readily to the pioneer life. Many of them came directly from their native lands; others had settled earlier in different parts of the United States. Those who came first wrote home to friends and relatives, thus securing foreign advertisement for their new investment. Soon 2 more sections were added to the original tract, increasing the size of the colony to 1920 acres.[103] By 1882 practically every lot was sold, and those purchased in 1880 for $450 were worth $1000, or more, unimproved. Land which had been improved increased in value from $15 to $100, and even to $300 an acre.[104] Vines* and trees, and vegetables and berries were raised with success. Four acres were given by Voorman for a school, and the colonists took up a collection for the construction of a schoolhouse.[105]

A typical settler of the colony was Sig Winblad, a native of Sweden, who came with his family in 1881.[106] After purchasing 20 acres, he devoted the entire tract to grapes and made many substantial improvements. S. W. Waltz, though not a Scandinavian, came to settle in 1891.[107] He, too, planted vines and took an active part in community affairs, serving as a trustee for the Scandinavian School and as a member of the California Associated Raisin Company. Many more deserve mention here, but space does not allow.

COLONIES OF THE 1880's

The "boom" years for colonizing in Fresno County were the 1880's during which occurred a general migration of new homeseekers from the eastern states to California. Transportation problems were solved by the railroads; agricultural interests were supplanting the old dominant role played by gold; and California's other resources were proving to be plentiful. With such a demand for new lands, it was natural that Fresno County should grow.†

The success of the first colonies had, as mentioned earlier, attracted attention; and when prospective buyers, in excursions arranged by real estate agents, were shown the wonderful results on irrigated areas as compared with non-irrigated, the projection of new colonies and the arrival of newcomers accelerated the growth of the outlying districts.

*The chief varieties of grapes grown on the Robert Barton vineyard—which joined the Nevada Colony on the east and the Scandinavian on the north—were reported in 1882 to be: Charboneaux, Burger, Blaue Elba, Zinfandel, Sultanas, and Black Malvoise. (Fresno *Republican*, September 2, 1882.) Land for the vineyard, some 960 acres, was purchased in 1880, and was sold in 1887 to an English company for $1,000,000, Barton continuing to manage it until his death in 1890. (Fresno *Expositor*, August 3, 1887.)

†U. S. figures for the 10th and the 11th census give the population of Fresno County in 1880 as 9,478, and in 1890 as 32,026.

The colonies of the 1880's emulated the earlier ones in most respects. The story of one is essentially the story of them all. However, each contributed something special to the group which, combined, formed a prosperous agricultural community. In all of them viticulture was predominant. Source material for some of these colonies is scarce; nevertheless, important facts concerning the establishment of the majority have been gathered.

The American Colony

Charles Henry, representative of the Scandinavian Colony in San Francisco, continued his career of colony promotion by becoming manager of the American and met with equal success.[108]

Lying just west of the Washington Irrigated and south of Central Colony, the American embraced 3200 acres. It was laid out in the customary 20-acre lots, which were divided by avenues 60 feet wide. Single 20-acre lots sold for $700; 160-acre tracts for $15 to $20 an acre.[109] With the purchase of each tract, a perpetual water right to the Fresno Canal was given. In a very short time the colonists, numbering over 200 families, were yearly producing fruit, alfalfa, butter, and eggs, netting more than $300,000.[110] This colony, too, though organized for American settlers, waived its restriction to include colonists of all nationalities.

The Fresno Colony

The northern boundary of this colony lay along a city limit of Fresno; and the fact that it became an example of the success achieved by colony settlements in Fresno County made its name doubly appropriate. The property, comprising 2880 acres of barren land, was sold to Thomas E. Hughes[111] and his sons in 1880 at $6.50 an acre. The following year it was put up for sale in 20-acre tracts as a new colony.[112] Excursions were conducted to the colony site by train from San Francisco; besides, Hughes "in company with Judge North, Washington Colony promoter, made a tour through several of the northerly counties, picturing the advantages of Fresno Irrigated lands."[113] Sales were rapid, owing, among other advantages, to the district's easy access to the city. Lots with water rights from the Fresno Canal and Irrigation Company sold for $50 an acre, thus giving the organizers a large profit.[114] The colony was a success likewise for the colonists. With the assurance of water and good land, they were able not only to imitate their sister colonies, but in some respects to surpass them. Moreover, by being included in the school district of Fresno, the settlers shared the advantages of the town people—which shows again that its location was an important factor in its success. Hughes, realizing that his land was proving to be a fine speculation, added 960 acres to the original tract, to accommodate the influx of settlers.[115]

The Easterby Colony

Better known as the Easterby Rancho, this tract of some 2560 acres, lying 3 miles east of Fresno, was the original property that A. Y. Easterby had purchased from the German Syndicate in 1868. It was the site of Church's first irrigation experiments; and from it went the first shipment of wheat from the plains of the San Joaquin, namely, that made by Easterby, whose part in the development of the land has been described previously. In 1877 the Easterby Rancho came into the hands of William O'Brien of the Nevada Bank and was subsequently bought by M. Theodore Kearney and M. K. Kasten.[116] The tract was subdivided into lots of 20, 40, 60, 80, 160, and 320 acres,[117] and was considered as one of the best districts in the valley because of its rich soil and the abundance of water, supplied by the large canal which ran through it and thence on to the Central Colony.[118]

The 20-acre and 40-acre tracts were sold at $50 an acre; of the entire colony, 900 acres were sold in lots of this size. The remainder of the land was bought in large tracts by George Malter,* A. B. Butler,** the Fresno Vineyard Company which Kearney organized, and others, who developed their tracts into famous vineyards.[119] Easterby Colony, like many of the rest, had its schoolhouse, and the district took in all the children of the nearby vineyards. Thus, the old Easterby Rancho was parceled out in small sections which, each in itself, proved the worth of the land by producing some of the finest wine grapes and raisins of the region.

The Malaga Colony

Established due east of Central Colony was the Malaga, an enterprise which was organized by G. G. Briggs,[120] mentioned before in connection with the Washington Irrigation Colony. The Malaga comprised 6400 acres or ten sections, which were sold in 20-acre lots. A station of the Southern Pacific was located in the center of the property,[121] from which grapes and raisins were shipped by the vineyardists. A packing plant and schoolhouse were built, and from the heart of this community grew the town of Malaga.

The Fruit Vale Estate

This estate was purchased in 1883 by M. Theodore Kearney. The boundary line began 2 miles west of Fresno and extended westward for about 8 miles, the entire holding embracing 6720 acres of rich farm soil.[122] Kearney irrigated the land extensively and subdivided over half of it for settlements. On these tracts many fine vineyards were planted, but later much of the property came back into Kearney's hands because of defaults in payments by the settlers.

Kearney, a bachelor, was a man of mystery to the people of Fresno. According to most writers of his time he took no one into his confidence and

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*The immense winery and distillery on George Malter's St. George Vineyard could handle the grapes purchased from 168 other vineyards besides all of his own. (Fresno Chamber of Commerce, *Fresno City and County*, Fresno, 1896, p. 86.)

**Annual production of the Butler Vineyard in 1890 was 110,000 20-pound boxes of raisins, all packed at the vineyard. The following year, this number was increased almost 100 per cent. (M. Theodore Kearney, *Fresno County, a Wonderfully Prosperous District in California*, Chicago, 1893, p. 9.)

seemed to be friendless. He deserved great credit, however, for the aid which he gave to the raisin growers, resulting eventually in the organization of the first California Raisin Growers' Association. The plans Kearney made for the construction of a great chateau on his property never were fulfilled because of his failing health. However, Chateau Fresno Avenue, now known as Kearney Avenue, which ran from the city for 2 miles, then through the estate for 8 more, had a different fate. One hundred feet in width and bordered on either side by palms, eucalypti, magnolias, acacias, and many other varieties of trees, Chateau Fresno Avenue became the pride of the territory, and was deeded by Kearney to the public.[123] Besides this boulevard, there were 240 acres of palatial gardens and lawns in the center of the estate; and surrounding the gardens were 50 acres of oranges, 25 acres of olives, and over 800 acres of vineyards.[124] A stone lodge, built to resemble a medieval tower, was located at the entrance to the grounds.

The Perrin Colonies

Dr. E. B. Perrin first speculated in Fresno lands in 1868. In anticipation of coming railroad developments, he bought up property also in Shasta, Tehama, Mendocino, Sonoma, Marin, Napa, Alameda, and Los Angeles counties.[125] In Fresno County he acquired more than 130,000 acres,[126] and to provide them with water, he organized the Upper San Joaquin Canal Company in 1876. This enterprise failed because, to use his own words, "they struck financial difficulties and hard rock." Not until he bought the Fresno Canal and Irrigation Company from Church in 1887 did he successfully irrigate his land. The establishment of the Perrin Colonies around Fresno dated from that time. The first colony of 7040 acres lay west of the American Colony; the others, five in number, were north and northwest of the city. The Holland Colony, or Perrin Colony Number Six, was a failure because of hardpan land, which was unfit for cultivation. Had they known that by blasting out the surface hardpan they would reach tillable subsoil, their fate might have been different. The colony was looked upon as a fraudulent scheme, since the colonists were induced to invest in land which a "pick would not disintegrate and which was impervious to water."[127]

Wolters' Colony

Bearing the name of its founder and proprietor, Henry Wolters, this colony contained 1020 acres of land 4 miles north of Fresno. Water rights from the Kings River and Fresno Canal Company were given with the sale of each 20-acre tract.[128] A schoolhouse, located in the center of the colony, served also Perrin Colony Number Two, which adjoined it on the west.

Other Colonies

The enumeration of additional colonies would, because of their similarity, become monotonous; however, a few belonging to this era should be described briefly since they formed an integral part of the county's development.

The West Park, west of Central Colony and formerly called the Bank of California Tract, contained 6400 acres of land which had never been turned by a plow.[129] The earliest settlers came about 1884, and devoted their interests to vineyards and orchards. Aided by irrigation and good soil, this once barren land was brought into a high state of production.

Union Colony, comprising 960 acres west of and adjoining Fresno Colony, was purchased by William A. Fisher in 1882.[130] The next year the property was subdivided into 5-, 10-, and 20-acre tracts and put on the market. As evidence of the increase in value of Fresno lands, 5-acre lots sold here for $1000 to $1250.[131]

Additional settlements in the vicinity of Fresno included the 2-section Salinger Tract, which joined the city on the north and lay west of the Barton Vineyard;[132] the Richland Tract of 320 acres, fostered by Kearney, was between Fresno and Butler's Vineyard; the 640-acre Caledonia Colony, owned and projected by Alexander Gordon, prominent vineyardist and banker, joined the Richland Tract on the south;[133] the Kutner Colony of 1000 acres was established east of the Church Temperance;[134] the Muscatel Estate, northwest of Fresno, near Herndon, comprised 1920 acres; the Enterprise Colony was a 2-section tract north of Church Temperance;[135] Clay's Addition to Fresno covered the land remaining between the city and Fresno Colony; the Wittram Colony of 640 acres lay south of the Washington Irrigated; and H. B. Choice's Medway Colony, of equal size, was joined by the first Perrin Colony on the west and the American on the east.[136]

Colonies on the plains encouraged the development of small towns, some within the colonies and others which grew up amidst a group of colonizing settlements. One of the latter was Fowler, a town 9 miles southeast of Fresno and on the line of the Southern Pacific. Four main colonies surrounded this town and contributed to its growth.

The Walter Colony was established by a former rancher and miner, Charles Lewis Walter. After purchasing a section of land east of Fowler, he subdivided 320 acres and sold it in 20-acre lots.[137] On the remaining tract he grew wheat and corn. In 1882 he aided in organizing the Fowler Switch Canal Company. Among his other activities, he was director of the First National Bank of Fresno, owner and operator of the Belmont and Yosemite Railway, the first Fresno horse-car, and candidate for state senator.[138]

The Sierra Park Colony (sometimes referred to as the Kirby Colony, after C. K. Kirby, the founder) was west of Fowler. It covered 2560 acres of farm land, in the center of which was the 400-acre Kirby Vineyard with its fine winery.[139]

The Norris Colony was organized by a former sea captain, Charles H. Norris, who first visited Fresno County in 1874.[140] After engaging in sheep-raising, he turned to agriculture; in 1884, he bought 1920 acres around Fowler. The entire district was excellent for the cultivation of grapes and was well irrigated by 2 large canals, the Fowler Switch and a branch of the Fresno Canal and Irrigation Company.[141] Prominent among the settlers of this colony were the English-born Goode brothers, Herbert and Robert, who owned 140 acres and "became very successful as ranchers and in the growing of raisin grapes."[142] The last of the colonies near Fowler was the Nye-Marden, established by Mrs. E. M. Nye and W. H. Marden on 800 acres north of the Sierra Park Colony.

Southeast of Fowler, and likewise on the line of the railroad, was the town of Selma. Laid out in 1882 about 15 miles from Fresno, its growth was, to quote the Fresno County Directory of 1881, "something wonderful."[143] The same source lists its founders as J. E. Whitson, E. H. Tucker, M. Snyder, and George B. Otis; and its location as having been determined by the proximity of the Frey Brothers' Valley View Flouring Mills. Early in 1887 a newspaper account spoke of the town thus: "Selma is surrounded already by a series of colonies, among them Nebraska Colony, Sanders, Clifton, Wildflower, Liberty, for all of which Selma is the trade center. The whole town is on a boom, founded on a substantial basis that will make a larger and flourishing city in the future."[144] Briggs Selma Tract of 1280 acres northwest of the town was another of the early settlements.

Five miles below Selma was Kingsburg, with its Kingsburg Colony northeast of the town. This colony became a Swedish agricultural settlement because of the work of Frank D. Rosendahl, famous Swedish landscape gardener,[145] in bringing in settlers and in developing the land; and the town of Kingsburg prospered accordingly.

In 1880 T. L. Reed's Colony, 25 miles southeast of Fresno, became the site of Reedley, a thriving wheat and raisin center located on the then existing Stockton and Tulare Railroad.[146] Just south of Reedley, Curtis and Shoemake organized a colony bearing their names; and westward, across the Kings River from their colony, was the Riverside Colony.

The town of Sanger, 14 miles east of Fresno, owed its founding in 1888 to a line of the Southern Pacific. It was 3 miles from the older town of Centerville, which soon diminished in importance and population owing to the establishment of this newer town. The Indianola Colony was laid out in 20-acre tracts, 1 mile north of Sanger;[147] and another, the West Sanger Colony, lay west of the town.

Thus, the era of expansion swept over the plains of Fresno County and transformed thousands of unproductive acres, that were once "too dry to support a horned toad,"[148] into a countryside rich with vineyards, orchards, and gardens, with a population so varied in respect to nationalities that no country on the globe appeared to lack a representative. Germans, Italians, British, Scandinavians (the Danes were the largest group of the Nordic races represented), Armenians, Portuguese, Russians, Mexicans, Chinese . . .

turned their particular talents into any number of channels.* And just as from the original colonies on the eastern seaboard had emanated the incentive to spread, so the pioneer agricultural colonies in Fresno County had been the centers of attraction from which settlers went into the outlying districts, until they had built up one of the most cosmopolitan communities in the state.

*To take one familiar example in California history: the Chinese, employed in laying track when the railroad was extended down the valley, stayed on in such numbers as agricultural laborers that Fresno boasted a Chinatown third in size in the state. (Fresno *Bee*, February 13, 1938.)

NOTES

95. *Republican*, March 23, 1878.
96. *Expositor*, February 14, 1877.
97. Vandor, *op. cit.*, I, 791.
98. *Ibid.*, II, 1907.
99. *Ibid.*, I, 263.
100. *Republican*, December 14, 1878.
101. *Expositor*, December 4, 1878.
102. *Ibid.*, January 1, 1879.
103. Vandor, *op. cit.*, I, 263.
104. *Loc. cit.*
105. *Expositor*, September 15, 1880.
106. Vandor, *op. cit.*, II, 1966.
107. *Ibid.*, II, 1608.
108. Elliott, *op. cit.*, p. 118.
109. Vandor, *op. cit.*, I, 264.
110. *Memorial and Biographical History* . . . p. 129.
111. Vandor, *op. cit.*, I, 244-250.

Hughes attained prominence in Fresno as head of most of the enterprises in the county. Among them were the Fresno County Bank, Fresno Fruit Packing Company, Fresno race track and fair grounds, the Hughes Hotel, etc.

112. Elliott, *op. cit.*, p. 120.
113. Winchell, *op. cit.*, p. 140.
114. Elliott, *op. cit.*, p. 120.
115. *Loc. cit.*
116. Elliott, *op. cit.*, p. 117.
117. *Expositor*, October 22, 1879.
118. Elliott, *op. cit.*, p. 116.
119. *Ibid.*, p. 117.
120. *Memorial and Biographical History* . . . p. 129.
121. Hogue, Murray, and Sesnon, *Fresno County California, Where Can Be Found Climate, Soil, and Water* (Oakland: Pacific Press, 1887), p. 5.
122. M. Theodore Kearney, *Fresno County, A Wonderfully Prosperous District in California* (Chicago: Donohue and Henneberry, 1893), p. 35.
123. Kearney, *Fresno County, California, and the Evolution of the Fruit Vale Estate* . . . p. 17.
124. Walter B. Clausen, *Fresno County California* (San Francisco: Issued by the Sunset Magazine Homeseekers Bureau for the Board of Supervisors of Fresno County, 1915), p. 40.

125. *Interview: Mr. D. R. Sessions with Dr. Perrin,* January 15, 1890, MS in Bancroft Library.
126. *Loc. cit.*
127. Vandor, *op. cit.*, I, 264.
128. *Expositor,* March 24, 1886.
129. Hogue, Murray, and Sesnon, *op. cit.*, p. 5.
130. *Memorial and Biographical History* . . . p. 476.
131. *Expositor,* March 1, 1888.
132. Hogue, Murray, and Sesnon, *op. cit.*, p. 5.
133. *Memorial and Biographical History* . . . p. 608.
134. *Expositor,* January 1, 1891.
135. Vandor, *op. cit.*, I, 766.
136. *Expositor,* December 12, 1888.
137. *Ibid.*, Holiday Edition, January 1, 1890.
138. Vandor, *op. cit.*, II, 2572.
139. Hogue, Murray, and Sesnon, *op. cit.*, p. 5.
140. C. S. Rohrbacher, *Fresno County, Her Live Towns, Her Industries, and Her Progressive Men* (compiled and published by author, 1891), p. 136.
141. *Expositor,* April 28, 1886.
142. Vandor, *op. cit.*, II, 2410.
143. *Fresno County Directory for 1881* . . . p. 159.
144. *Expositor,* April 13, 1887 (reprint from Los Angeles *Herald*).
145. Vandor, *op. cit.*, I, 1223.
146. *Ibid.*, p. 270.
147. *Expositor,* January 1, 1880.
148. *Ibid.*, March 21, 1877.

Grade-School Grizzly

THE description of the grizzly bear which follows is an excerpt from a manuscript by Bertha F. Herrick now in the possession of the author's niece, Amy Requa Russell. Miss Herrick called her manuscript "Outdoor Studies in California." It was intended as a textbook for California schools, and was ready for the printer, including over one hundred photographs, drawings, *etc.* In the portfolio with the manuscript were a number of letters of commendation from such prominent persons as John Muir, President David Starr Jordan of Stanford University, President Martin Kellogg of the University of California, and from superintendents of school in Alameda and Sacramento counties. Miss Herrick died suddenly in 1904 and the book was never published. Articles by her—"Tropical Fruit Trees," "Wild Flowers of the California Alps," *etc.*—had, however, appeared in 1896 in Appleton's *Popular Science Monthly,* which a newspaper clipping (source not noted), reviewing the April issue of the magazine, called "an old and well established periodical, and only work of thorough scientific excellence finds its way therein." It spoke of Miss Herrick's contribution as "taking top rank."

Miss Herrick was a granddaughter of Joseph Kendall, a forty-niner and artist, whose journal, *A Landsman's Voyage,* was privately published with two of his drawings a few years ago. Her mother, Lucy Kendall Herrick, arrived in San Francisco in 1852; and her father, William Francis Herrick, one-time owner of the *Alta California* and a founder of the San Francisco *Bulletin,* came in 1853. She herself was born "in the Mission" in 1862.

Of the letters of commendation, only that of John Muir is reprinted below:

Martinez, Aug. 16, 1899.

Miss Bertha F. Herrick:
Dear Madam:

On my return from Alaska & the Sierras I find your interesting letter & notes on outdoor studies etc. I am very glad to know that your studies are to be published soon. So little as yet is known of the fauna of California. The samples you send are very good & interesting & I doubt not the book will be a great success. My studies have been mostly on the geology & flora of the state & I know so little of the fauna that I can do but little in launching of the book. I don't think however you need anybody's name—the matter stands well, as far as I have seen, on its own merits. In case publisher should require other names, Profs. Jordan & Gilbert of the Stanford University are better than mine for such a book.

I think it will be a great success on its own merits—& I heartily wish you good luck. If you care to come to Martinez I'll be glad to see you. I am now trying to write a little book on the forests of the West.

With best wishes I am
Yours truly,
(signed) John Muir

LARGER MAMMALS*

(1895)

In the days of the pioneers, the monarch of the Pacific Coast forests was the California grizzly, which, with its unwieldy bulk and powerful paws, its fierce cunning eyes, cruel fangs, knife-like claws and stealthy tread, well deserved the notoriety of being the most formidable of all North American carnivora.

It was a typical western product, measuring from seven to nine feet in length and weighing from nine hundred to eighteen hundred or even two thousand pounds; and such were its strength and daring that full-grown specimens sometimes carried off a colt or large pig in their arms or gnawed in two the trunk of a good-sized tree, in which a hunter had taken refuge.

As one stroke of its huge muscular fore-paws was often sufficient to cause the immediate death of its adversary, the other denizens of the woods held it in terror and even avoided its lifeless body or any game that it had been seen to kill. In the matter of the grizzly's own tenacity on life, it was frequently known to fight for an hour or more with a bullet in its heart or lungs.

The grizzlies' fondness for tender calves and lambs made them the special abhorrence of the Spanish stock ranchers; and it was a favorite amusement of the young vaqueros to ride out, on moonlight nights, with extra strong lassos and surprise the thieves at their evening feasts. This exciting sport was usually followed by a bear and bull fight in the arena, after which Bruin might be liberated if he came off victor in the fray.

Roast grizzly and bear-steaks were always prominent features of the bills-of-fare in mining camp restaurants, selling at a dollar a share, payable in gold-dust; and the head, baked in a rough earthern oven filled with heated stones, was once considered an especially delectable tidbit.

A writer in *Hutching's California Magazine* of 1856[1] gives an account of a colored sportsman in what is now El Dorado County, who shot a mammoth grizzly, from which he obtained no less than eleven hundred pounds of meat; and as this was sold at a dollar and a quarter a pound, it brought the lucky marksman the neat little sum of $1,375.

Though very common almost everywhere in the state in early days, these animals rapidly diminished in numbers, owing not only to the deadly bullet

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*Under this chapter heading the author included panthers, the grizzly, the so-called cinnamon bear, *etc.* Her description of the grizzly is alone reproduced here, this being the one-hundredth June since that animal was first used in California's flag-waving history.

and the poisoned haunch of venison, but to the shrieking locomotive and the woodman's axe, which have encroached upon the seclusion of their native wilds.

The few solitary specimens that remain[2] have retired to isolated brushy parts of the mountains near the Oregon border, and are smaller and less fierce than in former times, seldom making the first attack, unless driven by the stress of hunger.

They are omnivorous in their diet, feeding not only upon flesh, but upon roots, nuts, wild berries, (especially those of the manzanita), frogs, insects, the grubs of wasps' nests, the honey from fallen trees, or upon fish, which they catch skillfully with their paws, while lying across some fallen log in mid-stream. When not hungry, they temporarily bury their prey, and hunters have been said to have occasionally escaped death from their clutches by assuming death, and then quietly disinterring themselves (after burial) when their antagonists had retired to slumber.

During the winter months, the mother and the younger bears hibernate, either in caves or in roomy dens of their own excavation, reached by a sort of tunnel from six to ten feet in length. In the spring-time they emerge in a half-famished condition and "as cross as a bear."

The cubs can climb, but not the adult animals. All of them are able to swim and are fond of wallowing, like pigs, in shady pools.

About fifteen years is their average term of life, though they have been known to live twenty years in menageries. "Monarch," one of the attractions of Golden Gate Park in San Francisco is the only California grizzly now in captivity; but lacking sufficient exercise and being surfeited with cakes and other goodies, he is fat and lazy and not a true type of his kind.[3]

If taken when very young, these creatures can be tamed and trained like dogs. Hittell, the historian, relates the adventures of a mountaineer, who raised a captive cub to hunt with him, the intelligent beast, when fully grown, carrying the slaughtered game, sometimes amounting to two-hundred pounds in weight, upon her broad, flat back. She would also drag a sled through the snow and gallantly defend her master from other grizzlies and from wolves and panthers.[4]

Among the western Indians, necklaces of their claws were greatly prized as trophies of hunts, and were handed down as heirlooms. As a primitive sign of respect, and as a solemn warning to chance travelers, mounds of rock were constructed over the spots were members of their tribes, fallen in unequal struggles with these savage monsters, lay buried.

The grizzly is represented on the seal of the Society of California Pioneers, and also appears upon the state seal with the figure of Eureka, as well as on the crudely-fashioned "Bear Flag," the banner raised by the rebels who sought to proclaim California free from Mexico.

NOTES

1. *Hutching's California Magazine,* I (September 1856), 106.

2. According to H. E. Wilder of Carlotta, Humboldt County, there had been no grizzly in that county since 1890, at least, and perhaps for many years before that. Joseph Grinnell, Joseph S. Dixon, and Jean M. Linsdale, *Fur-Bearing Mammals of California* (Berkeley: University of California Press, 1937), p. 69. But the same authors state (p. 83) that in the heavily chaparral-covered Santa Ana Mountains of Orange and extreme northwestern San Diego counties, grizzlies persisted until well along in the 1900's.

3. "Monarch" died in 1911 (*Report* of the Commissioners of Golden Gate Park, San Francisco, for 1912). Grinnell *et al., op. cit.,* p. 89, supply the month, viz., May 1911, adding that after 22 years in captivity the animal had become decrepit and was killed.

4. The gentle soul's name was "Lady Washington"! Theodore H. Hittell, *The Adventures of James Capen Adams* (Boston, 1867), pp. 66 *ff.,* 111 *ff.,* and 213.

Recent Californiana

A Check List of Publications Relating to California

BOOKS AND PAMPHLETS

Callahan, Genevieve
The California Cook Book. New York: M. Barrows & Co., Inc. x + 381 pp. illus. $2.50.

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Goodsell, Fred Field
John Service, Pioneer. Privately printed, 1945. 90 pp.

Howard, Walter L.
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Kip, Leonard
California Sketches, with Recollections of the Gold Mines. With an Introduction by Lyle H. Wright. Los Angeles: N. A. Kovach, 1946. xiv + 78 pp. illus. $2.75.

McWilliams, Carey
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Robinson, W. W.
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Wilson, Carol Green
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News of the Society

Gifts Received by the Society

March 1 to May 31, 1946

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From MR. FRANCIS P. FARQUHAR—*A Catalog of Rare Books and Manuscripts, including General Literature—Americana, and a Superb Selection of Fine Press Books recently acquired from the Library of a well-known Collector, offered for sale by the Caveat Book Store, 450½ Sutter Street, San Francisco,* 1946.

From MRS. EVA MEAD FIRESTONE—Firestone, Mrs. Eva Mead, comp. *Mead-Clark Genealogy*, 1946.

From MR. DONALD McKAY FROST—Frost, Donald McKay, *Notes on General Ashley, the Overland Trail and South Pass,* 1945.

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From MR. STUART O'MELVENY—Robinson, W. W., *The Forest and the People*, Los Angeles, 1946.

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From MR. E. W. EHMANN—Photograph of First Congregational Church in Oroville, erected 1875.

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From MR. J. W. MAILLIARD, JR.—In Memoriam, Colonel Julian McAllister; Nine Photographs.

From MR. WILLIAM WALLACE MEIN—Group Photograph: Early Residents of Nevada City, California.

From MRS. SILAS H. PALMER—Picture: "At the Play," July, 1879.

From MRS. J. H. RUSSELL—Five Photographs: Two of Lucy Kendall Herrick and her family; Two of the Albert Miller Family; One of U.S.S. Frigate "Constitution," drawn by William F. Herrick.

From SAN LEANDRO CHAMBER OF COMMERCE—Three Post Cards, views of San Leandro.

From MR. W. J. SLATTERY—Four Photographs: San Francisco Fire Department, Engine No. 10.

MISCELLANEOUS

From MR. FRANK S. GROOME—Brown Wedding Dress; Black Dress; Two Black Lace Shawls; Brown Bonnet, which belonged to Mrs. Wilma Groome.

From MISS RUTH L. LANDGREBÉ—San Francisco Municipal Band, Program, November 10, 1918.

From MISS FRANCES M. MOLERA—Large Walnut Bookcase.

From MRS. JOHN H. RUSSELL—Collection of Blueprints and Watercolor Drawings of ships designed by William F. Herrick.

From MR. D. Q. TROY—Three Badges: Veteran Volunteer Firemen's Association of California, 1893; Veteran Volunteer Firemen of San Francisco, Stockton, September 9th, 1896; Veteran Volunteer Firemen of San Francisco, Ukiah, September 8, 9, and 10, 1898.

From MISS LOTTIE G. WOODS—Scrapbook; Clippings, California and San Francisco; Booksellers' Labels.

Meetings

Two luncheon meetings have been held in the quarter just passed: on March fourteenth at the Palace Hotel, some ninety members and guests heard Mr. William G. Paden, Superintendent of Schools of the City of Alameda, speak on the "Lore and Lure of California"; and on May ninth at the same place and before a similar audience, Mr. George E. Mowry, Professor of History at Mills College, explained the implications behind the "Johnson-Hughes Incident" of 1916.

Mr. Paden entertained his hearers by recounting a method he has found practically infallible in puncturing a certain smugness on the part of students from the Atlantic seaboard who attended his classes at the university. His method went something like this: "Did you realize," he asked them, "that a thousand years before Columbus discovered America, Hwui Shan held a press conference upon his return to China, during which he dictated to scribes the story of his travels, and it is quite probable that the land he described was California? Did you know that in 1542 Juan Rodríguez Cabrillo was exploring up and down the coast of California; and that a great merchant marine, which went by the name of Manila galleons, began operations in 1565, carrying treasure from China, India, Persia, Malay and the Philippines to this coast and thence to Acapulco in Mexico, and that it made annual voyages for 250 years?" Then he told them that Drake landed in what is now Marin County in 1579, and at the point where he came ashore he left a brass plate on which was inscribed the name of his queen, Elizabeth of England, and the name of the land, "New Albion"; and that all this happened forty years prior to the landing of the Pilgrims. After this, Mr. Paden described the journey of Sebastián Vizcaíno, in 1602-03, to the coast of California and the map he made giving names to the headlands, islands, and inlets, including Monterey Bay, so-called in honor of the Count of Monterey, viceroy of New Spain and sponsor of Vizcaíno's expedition. From 1603 to 1768 California lay dormant—a period about as long as the time we have been a nation. The next year, however, Portola and Padre Serra were commissioned to establish missions and colonize Alta California. Portola, using Vizcaíno's diary and his description of Monterey, left San Diego with a small force for the purpose of establishing in a definite fashion the location of Monterey; but he missed it on this trip. He crossed the Pajaro River at the present site of Watsonville, discovering the *Palo colorado* or redwood; and although Portola was in command of the expedition, it fell to the happy lot of Ortega, at the head of a scouting party, to be the actual discoverer of the Bay of San Francisco. Then the speaker touched briefly—for, in spite of the absorbed attention of his audience, an end had to be made—upon the founding of the missions, the difficulties of colonization, and the sending of an overland expedition from Sonora in Mexico under Juan Bautista de Anza, with instructions to discover a short overland route to California. It was among the colonists of Anza's second expedition that were to be found the first real citizens of California and the founders of San Francisco.

By way of preamble to his address on the Johnson-Hughes incident, Professor Mowry reviewed the then-existing political situation, which was dominated by the resentment of the Progressives at Theodore Roosevelt's desertion of their party. The Lincoln-Roosevelt League and the Progressives, into which the former had been merged in 1913, had controlled California state offices since 1911 when Hiram Johnson became governor; now, in 1916, the stand-pat Republicans, reinforced by Roosevelt's return to their fold, were planning a wholesale removal of office-holding Progressives. The split within the Republican ranks in California could scarcely be called healed.

In addition to purely party matters, there was Roosevelt's own resentment at the selection of Charles Evans Hughes as presidential candidate to oppose Woodrow Wilson, Roosevelt feeling that he himself would have been recognized by the electorate as the real opponent of Wilson rather than Hughes. However, he was campaigning for Hughes, using Wilson's foreign policy as chief point of attack.

Hiram Johnson was resentful because he felt that by his desertion of the Progressives, Roosevelt had spoilt his, Johnson's, chances for the United States senatorship, even though Chester Rowell, California Progressive state chairman, in a meeting with the Republican steering committee in the East, had secured the committee's agreement to Johnson's candidacy. Johnson announced his candidacy for United States senator on both the Republican and Progressive tickets, preparatory to the coming state primary; but the Republican state machine, engineered by William H. Crocker and F. V. Keesling, placed itself behind the candidacy of Willis H. Booth. It was but a matter of days before the primary. Into this embroilment stepped Hughes.

When Hughes was near the Oregon border, about to begin his campaign in California, Mr. Crocker had suggested to him that he refrain from entering the state until after the primary election. This, however, Hughes refused to do, perhaps because he considered it undignified and savoring of petty politics.

Hughes was surrounded by regular Republicans during his stay in California. Chester Rowell, the Progressive, was in attendance, too, but all the local arrangements were in the hands of the regulars. Johnson was in the southern part of the state on a speaking tour. He had received no direct communication from the Hughes party inviting him to accompany it, since Hughes had remarked at San Francisco that he had no concern with local politics; for example, though publicly unuttered, the rival candidacies of Johnson and Booth.

On August 20th, just before leaving the state, Hughes was resting in an hotel in Long Beach. Johnson was there also, spending Sunday. Johnson knew that Hughes was in the hotel; nevertheless he remained in his room. Hughes was not told about Johnson's proximity until after he and his party had started for Los Angeles. He immediately sent his train manager and Mr. Keesling back to Long Beach to make amends for the unwitting slight, but little could be done toward reconcilement. Johnson had not been invited to introduce Hughes in Sacramento, and now Johnson refused all suggestions for a public gesture of good will. Johnson won the primary on August 29th and was elected to the senate in November by 300,000 votes; but Hughes, although Johnson campaigned for him previous to the election, lost the state and the presidency.

Mr. Mowry brought out the complexity of the situation. Besides the mistrust on the part of the Progressives in the Roosevelt re-alignment, there was the desire for national peace—the state inclined toward non-interventionism —which seemed assured with Wilson. Also, in 1916, labor was back of Johnson and the Progressives' tenets. Old grudges, Mr. Mowry said, personalities and haphazard coincidence played their parts in the Hughes defeat, as well as more fundamental issues.

In Memoriam

BERNARD RANSOME

1873–1946

Bernard Ransome, president of the Ransome Company and long a resident of the Bay Region, died on April twenty-third of this year. He was born in San Francisco on June 15, 1873, and brought up in Oakland, where his father, Ernest L. Ransome, was a distinguished engineer, particularly in the mechanical end of the concrete industry. Bernard Ransome continued his father's interest in this field and was, himself, joined in the business by his son, Tallent, so that for three generations Mr. Ransome's family has been contributing to the notable history of constructional engineering on the Pacific Coast. Headquarters of the company are in Oakland but its activities extend over the entire northern part of the state, and during the latter part of Mr. Ransome's life they were widened to include the handling of butane in stations not only in northern California but in parts of Nevada as well.

During all his life Mr. Ransome was fond of hunting and fishing, his interest in the latter sport being continued up to the time of his last illness. His presence will be missed by a wide circle of friends, among whom he was much beloved.

Mr. Ransome is survived by his wife, Martha Hutchinson Ransome, and their two children—Tallent, his associate in business, and Martha, the wife of Decker G. McAllister.

ALLEN L. CHICKERING

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Marginalia

John Hussey graduated from the University of California with the class of 1934, and took his doctorate under Dr. Herbert E. Bolton in 1941. The research required for his thesis, "The United States and the Bear Flag Revolt," assures readers of the QUARTERLY of his special fitness to write a California chronology for 1846–50, an excerpt from which appears in the present issue.

Brother Daniel, M.M., graduated from Harvard in 1908, having specialized in chemistry and languages. He was an industrial chemist until 1924 when he became a Maryknoll lay brother, and for ten years thereafter taught science at Maryknoll College. A year's study in library science at Columbia University during 1935–36 resulted in his being made librarian at the College. In 1940, ill health forced him to seek a more favorable climate, which he has found at San Juan Bautista.

Francis Haines, instructor in history at Lewiston Teachers College, Lewiston, Idaho, took his doctorate under Dr. Bolton at the University of California in 1938. He has published two books, *Red Eagles of the Northwest* and *The Story of Idaho*, and about twenty-five articles, all of which are concerned with western Indians and western horses.

AMONG OUR NEW MEMBERS:

Miss Rowena Beans is the daughter of Thomas Edward Beans, who crossed the plains on horseback in 1849. Her mother came by the Isthmus in 1852, being carried across on the backs of negroes. Miss Beans is at present engaged in writing a history of the San Francisco Ladies' Protection and Relief Society, founded in 1852.

F. W. Schutz, grandfather of Mrs. Carleton Bryan, arrived in California in 1850, lured by tales of gold. He soon realized that California provided a better type of "gold," and turned to ranching in the Sacramento Valley. Mrs. Bryan is a member of the well-known Maxwell family of Oakland.

The ninth generation of the Chaney family to be born in Massachusetts, Everett H. Chaney has transferred his interest in history to California, and for the past several years has been adding Californiana to his library in Santa Barbara.

For seventy-five years Dr. William R. P. Clark's father, John Goddard Clark, was associated with the Bank of California. Dr. Clark's mother was married to R. C. Lawlor in 1859 at the home of William C. Ralston. After Mr. Lawlor's death, she married Dr. Clark's father, the son of the Reverend Orange Clark, chaplain and superintendent of the Marine Hospital in San Francisco.

William E. Colby's father, Gilbert W. Colby, arrived in San Francisco in 1849 by sea from New England. His mother, Carrie Amelia Smith Colby, came from Maine in the 'sixties. She taught first in Marysville and later at "Mills Seminary" in Benicia, now Mills College in Oakland. As secretary of the Sierra Club, Mr. Colby was in close association with John Muir (its president from 1900 to 1914) in the preservation and creation of National Parks and Monuments. Altogether, Mr. Colby has been secretary of the Sierra Club for 44 years and president for two. He was chairman of the First State Park Commission from 1927–36, a period during which the state acquired $12,000,000 worth of State Parks and historic Monuments. (Mr. Colby's name appeared in the March list of new members.)

Just one hundred years ago, Mr. and Mrs. Robert Duncan, grandparents of Mrs. G. D. de Balaine, arrived in California from New Zealand on the *Joven Guipuzcoana.* Mrs. Duncan died in Yerba Buena in 1847, and her five motherless children were brought up by Señoras Briones-Miranda and Vicente Peralta.

Members of the Society will remember that it was through Mrs. Edward L. Doheny's kind permission and other good offices that the publication of the Jefferson *Map of the Emigrant Road* at Christmas time was made possible. Mrs. Doheny gave the Edward Laurence Doheny Memorial Library to St. John's Seminary at Camarillo and in it placed her own collection of rare books and manuscripts.

Howard C. Duff, a member of the Todd family of which William Todd, painter of the original Bear Flag, was also a member, became interested in reading western history during long hours at sea in the course of World War II. He attained the rank of commander and was awarded the Legion of Merit for the sinking of the U-546 in April of 1945.

Harry E. Frick is the grandson of Dominique Frick, who, upon his return to the United States from France in 1848, was named commissioner to the then Sandwich Islands. After ten years in the Islands, Dominique Frick came to San Francisco, where he edited *The Miner, Devoted Especially to the Promotion of the Mining Interests of the Pacific States and Territories.* Of this paper only five numbers are known to be extant, the issues of March through July 1866, the depository being the University of California Library in Berkeley. Dominique Frick was also a contributor to the *National*, published in San Francisco.

It is good to welcome Benjamin Franklin Gilbert back from active service in the navy. Members will remember him as the author of "Kentucky Privateers in California" and "The Confederate Minority in California," published in this QUARTERLY, July 1940 and June 1941, respectively.

L. Chace Grover's grandfather arrived in California in 1851, settling in Santa Cruz after various mining activities. The present Brookdale Lodge was his summer home, and Grover Gulch near Soquel bears his name.

Richard E. Guggenhime is a member of the San Francisco family of that name. He served as a commander in the United States navy during the war, and has now returned to the active practice of law with the firm of Heller, Ehrman, White and McAuliffe.

All collectors of Californiana will be familiar with the name of Grahame Hardy, great grandson of the founder of Hardy's Book Store, opened in 1858 and only recently closed. Since 1937 Mr. Hardy has been president of the California-Nevada Railroad Historical Society.

W. J. Holliday maintains his library of Americana in his winter home at Tucson. His chief interests are materials relating to Arizona and California, on which he has been specializing for the past ten years.

Six of the grand or great-grandparents of Hobart M. Lovett arrived in California between 1849 and 1866. His paternal grandfather, William E. Lovett, arrived on November 9, 1849, after several years in Guadalajara, and later acted as assistant United States prosecutor at the trial of Tiburcio Vásquez. Mr. Lovett has been for some years an administrative assistant at the University of California in Berkeley.

Mrs. Gustav J. Lund has varied interests, not the least of which is her enthusiasm for the history of the San Francisco Bay area from 1885–90. She is also active in all phases of puppetry and the making of marionettes.

Early in his career, H. R. MacMillan served as chief forester of British Columbia. Later he became timber trade commissioner at Ottawa, and eventually entered the lumber business as founder and president of the H. R. MacMillan Export Company, Ltd. For services rendered the British government during the war, he was made a commander of the British Empire, his name appearing in the king's birthday honors' list in June, 1943.

Miss Lucy Maxwell, who came to California with her parents when very young, has long been identified with Oakland activities.

Mrs. Morris Milbank, the former Margaret Willey of Santa Cruz, is now living in Grants Pass. She is the niece of Samuel Hopkins Willey, pioneer pastor and one of the founders of the University of California.

Livingstone Porter, Ph.D., is a professor of history, his special interests being the military history of California and Nevada, and the history of the various foreign-origin groups of California, Nevada, and Arizona. Since March of 1944 he has been acting as historian of the Sacramento Air Technical Service Command.

Through teaching the church history of California and the West in the Church Divinity School of the Pacific, the Reverend Henry M. Shires acquired and has maintained an active interest in California history. Since 1942 he has been rector of Christ Church in Alameda.

Harold G. Snodgrass spent his boyhood near Fresno, where his father, David E. Snodgrass, a pioneer banker in California, was president of five small banks. In 1920 Harold Snodgrass entered the finance business and later founded the Mercantile Acceptance Corporation of California, of which he is still president.

The activities of Roland Tognazzini range from the National Safety Council to Agricultural District 1a (the Cow Palace). In addition, he has sugar interests and is the owner and operator of several ranches in San Luis Obispo and Santa Barbara counties.

Thomas E. Tryon, born of pioneer parents at Angels Camp in Calaveras County, is plant operations engineer for the Pacific Telephone and Telegraph Company.

The marriage of Henry Truman Compton, grandfather of Mrs. Charles D. Wehr, was the first Episcopalian ceremony in Stockton, and was performed by the Reverend Oliver Harriman. A great-aunt by marriage of Mrs. Wehr was Lupita de Anza, and her great-aunt Agnes M. Manning was one of the first women principals in San Francisco, teaching at the old Lincoln Primary School. The Stockton *Daily Evening Post* was edited by her grandmother's brothers, Rasey and William Biven. Volume 1, No. 1, appeared on the second of January, 1854.

CALIFORNIA HISTORICAL SOCIETY

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The Raising of the Flag at Monterey, California, July 7, 1846

By Aubrey Neasham

INTRODUCTORY REMARKS

THE Monterey Custom House over which Commodore John Drake Sloat raised the American flag on July 7, 1846, has been in charge of the California State Park Commission since 1927 when the lease from the Federal government was transferred to the state. In 1935, through an Act of Congress, provision was made for the sale of all public buildings of historical importance not utilized by the government, preference to be given to state or municipal bodies to purchase for public use at half the appraised value. The price fixed for the Custom House was $40,000, the state furnishing half of the reduced amount of $20,000 and local citizens the balance.

From time to time the question has arisen as to the location of the original flagstaff. For a period of seventy-five years it had been generally accepted that the flag was raised at the northwest corner of the Custom House, and on the fortieth and fiftieth anniversaries it was unfurled at that corner. With the approach of this year's centennial the State Park Commission felt that the best expert advice should be obtained to locate definitely, if possible, the original flagstaff. Through the good offices of Vernon Aubrey Neasham, Regional Historian, National Park Service, the University of California was called upon to aid in the investigation, and those selected to represent the institution were Theodore D. McCown, Assistant Professor of Anthropology, Ralph W. Chaney, Professor of Paleontology, and Herbert E. Bolton, Sather Professor of History, Emeritus. Cooperating with this group was Richard K. Beardsley, who was placed in charge of the excavations. As a result of documentary evidence recently found, a study of old photographs and prints, and the excavations made, the special investigating group reported that the flag was raised at a spot five and a half feet from the northeast corner of the Custom House. Remnants of the staff and the original rock cairn were unearthed.

The State Park Commission accepted this report and erected a flagstaff of Monterey pine at the new location. The Commission's special thanks are given to Dr. Neasham and to those representing the University of California.

Joseph R. Knowland

The archaeological work carried out by the Department of Anthropology of the University of California at the Custom House, Monterey, in cooperation with the California State Park Commission, the City of Monterey, and the National Park Service, has brought to light the remains of the flag pole upon which the flag of the United States was raised on July 7, 1846. That this work was undertaken is due to the interest and foresight of the Hon. Joseph R. Knowland, Chairman of the California State Park Commission, who correctly understands the aid which archaeology can give to history in a matter such as the one hereon reported. Mr. Knowland's encouragement and support of our work and his critical appraisal of the evidence are gratefully acknowledged.

The credit for carrying out the excavation and interpreting the facts belongs to Richard K. Beardsley and to his co-workers, William J. Wallace and Morton D. Gleason. Mr. Beardsley's report has somewhat understated the practical difficulties encountered in the work of excavation, which makes his application of the empirical scientific techniques of the archaeologist all the more deserving of the highest commendation. The continuous occupation of the Custom House and the present-day use both of the surface of the ground and the subsoil adjacent to the building presented a series of problems with which the archaeologist normally does not have to contend. In this connection, the active interest of Mrs. M. L. Greene, Curator of the Custom House, and of Superintendent H. L. Blaisdell is warmly remembered.

The reader of this report will readily see that the archaeological evidence supplements and confirms the historical facts and deductions presented by Dr. Aubrey Neasham. The result is that there is no major piece of discordant evidence in the combined findings of the historian and the archaeologist. All who look upon the new flag pole can know with assurance that it stands on the spot where the formal action of Commodore Sloat made California a part of the United States of America.

THEODORE D. McCOWN

AUTHOR'S FOREWORD

The writer expresses his appreciation to the Hon. Joseph R. Knowland, Chairman, California State Park Commission, who was instrumental in making possible this research and the archaeological excavations conducted by the University of California in cooperation with the California State Park Commission, the City of Monterey, and the National Park Service. Directed by Dr. Theodore D. McCown, Assistant Professor of Anthropology, University of California, field excavation work at the Custom House in Monterey, headed by Richard K. Beardsley with the assistance of William J. Wallace and Morton D. Gleason, proved fruitful. Documentary evidence plus archaeological excavations resulted in finding the base of the original flagstaff. This was identified as Monterey pine (*Pinus radiata*) by Dr. Ralph W. Chaney, Professor of Paleontology, University of California.

In addition to those mentioned above, Mrs. Mary L. Greene, Curator of the Custom House in Monterey, Mr. H. L. Blaisdell, Superintendent, and

A. E. Henning, Chief, California Division of Beaches and Parks, Col. Roger S. Fitch, President, Monterey History and Art Association, and the Native Sons and Daughters of the Golden West are to be complimented for their efforts in preserving historical values connected with the Custom House.

The Bancroft Library of the University of California, the California Historical Society, the State Library in Sacramento, and the Huntington Library supplied most of the information used in this paper. Miss Edith Coulter, Professor in the School of Librarianship, University of California, was especially cooperative in securing copies of the Larkin lithographs and keys, the Hutton drawings, Taylor's drawing, the Coulter lithograph, and photographs of the raising of the flag during the semi-centennial celebration of July 7, 1896. Dr. Herbert E. Bolton, Sather Professor of History, Emeritus, University of California, checked the results of this research and offered his constructive criticisms, as did Mr. Knowland.

The finding of the 1846 flagstaff base has demonstrated the technique which should be followed in ascertaining the history of California's landmarks. The running of a bulldozer, the building of a road, the digging of a ditch, or other construction work where important historical values may be, should no longer be countenanced, unless competent historical and archaeological advice is first obtained. As it was, the recent archaeological excavations revealed an 18-inch water pipe and two smaller ones that narrowly missed destroying what remained of the 1846 flagstaff. The larger water pipe was less than two feet from the flagstaff base. Part of the rock cairn within which the flagstaff was set was destroyed when the water main was constructed many years ago.

The question concerning the exact spot in Monterey, California, where the United States flag was raised on July 7, 1846, by the occupation forces of Commodore John D. Sloat, U. S. Naval commander, has been a perplexing one. There have been two schools of thought on the subject: one insisted that the flag was raised on a flagstaff on the northwest corner of the Custom House; the other claimed that it was raised on a staff in the plaza of the Custom House, several feet from the northeast corner of the building towards the waterfront.

Popular tradition favored the raising of the flag on the building itself. This viewpoint was backed by photographs taken at the semi-centennial of July 7, 1896, during which the flag was raised by William P. Toler, midshipman and signal officer, who had helped to raise the flag in 1846. These photographs show the United States flag flying from the flagstaff on the northwest corner of the Custom House.[1]

The flag was also raised on the Custom House earlier, during ceremonies held in Monterey on July 5, 1886. At that time, Major C. F. Williams, U. S.

Marine Corps, had the honor of re-enacting the ceremony. As accounts of the day tell, the flag was raised on the northwest corner of the building at exactly the spot where it was raised ten years later in 1896.[2]

Major E. A. Sherman, a veteran of the Mexican War who had much to do with the ceremonies of raising the flag in 1886 and 1896, was of the opinion that the flag was raised on the northwest corner of the Custom House in 1846. He indicated that Toler told him so prior to the 1896 ceremonies.[3] That Toler had assisted Passed Midshipman Edward Higgins in raising the flag in 1846 was not known to Major Sherman in 1886, however. This is shown by Major Sherman on July 5, 1886, when he as one of the principal speakers said, "The flag of the United States was then [July 7, 1846] hoisted by Lieutenant Edward Higgins, immediately after which a salute of twenty-one guns was fired by the Savannah and Cyane."[4]

Major Sherman had a lithograph made of the landings in 1846. This is W. A. Coulter's "Raising of the American Flag at Monterey, July 7, 1846," which shows the United States flag flying on a flagstaff on the northwest corner of the Custom House. In addition to the original reproduced in Sherman's biography of Sloat in 1902, a copy may be found in Coy's *Pictorial History of California,* and elsewhere.[5]

However convincing the above proof may seem that the United States flag was raised on the northwest corner of the Custom House on July 7, 1846, it appears that such was not the case. An accumulation of evidence to the contrary indicates that the flag was raised on a flagstaff several feet from the building, opposite the northeast corner and towards the water's edge.

The flagstaffs of Mexican custom houses in California were usually located away from the buildings. So far as Monterey is concerned, the Vallejo documents mention that in 1827 a flag pole with its halyard and flag was set up near the new peaked-roof building used as a storage room and for the convenience of the Custom House guard.[6] Furthermore, Commodore Montgomery in his communication to Sloat of July 9, 1846, indicated in the following words how the flag was raised in Yerba Buena (San Francisco): "I landed this morning . . ., and at 8 a.m. hoisted our flag in front of the custom house in the public square."[7]

Substantiating the statement of 1827 in the Vallejo documents, two lithographs with identifying keys, made under the direction of Thomas O. Larkin in 1851, show the Mexican flag flying from several sources in Monterey in 1842. So far as the Custom House is concerned, only one of these lithographs, that viewing Monterey from the bay, shows a flag at this site. The flag portrayed is on a flagstaff several feet from the building.[8] The other lithograph, viewing Monterey from inland, shows no flag at the Custom House. This may not have been inaccurate, however. Perhaps there was no flagstaff at the Custom House at that time in 1842. Commodore Jones made no mention of one there in 1842, when he prematurely raised the United

States flag at El Castillo (the old Mexican fort) and at the Casa de Gobierno (government building). Perhaps it was an oversight on Larkin's part not to have included the flagstaff in the second lithograph. The lithograph, based on an artist's sketch of 1842, was made by Gildemeister and printed by D'Avignon in New York, approximately nine years after the scene it was intended to represent.

Despite the fact that the Larkin lithographs portray Monterey in 1842, they are important pieces of evidence on the location of the raising of the flag in 1846. One definitely shows the location of the flagstaff away from the Custom House. The other shows no flagstaff on the northwest corner of the building.

No one knew better than Larkin where the flagstaff was located. He not only supplied most of the building materials for the north end of the Custom House, but, also, he had charge of much of its construction, including the erection of a new flagstaff in 1843. A perusal of the Larkin *Accounts* gives the following information on the Custom House flagstaff:

March 14, 1843, Flagstaff for Custom House	$3.	[Vol. X]
May 4, 1843, Kinlock's work at flagstaff	$2.4	[" "]
Knakas [*sic*] (14 days work)	$2.	[" "]
June 1, 1843, Paid Indians for putting up flagstaff	$4.4	[" XII]
4 bolts	$3.	[" "]
May 1844, work on C. H. flagstaff, G. Kinlock	$2.4	[" "]
May 15, 1844, G. Kinlock, work on truck of C. H. flagstaff	$2.4	[" XI]

These items prove conclusively that Larkin knew the location of the flagstaff. Furthermore, his communication to Abel Stearns of July 8, 1846, one day after the raising of the flag, indicates no new location of the flagstaff which he had erected in 1843. His letter reads as follows:

> "Commodore John D. Sloat yesterday at seven o'clock in the morning sent to the house of Don Mariano Silva (the highest Military Commandant at this time in town) Captain Mervine of the Cyane with two or three officers, demanding the surrender of the country; by eight Señor Silva contested the letter saying he had no orders nor anything to give up—property soldiers or Flag (the commandancia of this port has had no Flag this two months). At ten o'clock the forces were landed and they hoisted the American Flag."[9]

Commodore Sloat in his official documents of 1846 makes no mention of erecting a new flagstaff on the Custom House, nor do his subordinates. The fact that he was undecided whether or not to raise the United States flag, for several days prior to July 7, would indicate that he did not go to the trouble of having a flagstaff put on the Custom House prior to July 7. He did not have time to do so on July 7. Furthermore, had Larkin's flagstaff not been in place, Sloat would have raised the flag elsewhere in Monterey, as Jones had done earlier in 1842.[10]

Additional documentary information subsequent to the events of July 7, 1846, tends to prove that the flag was raised on the flagstaff away from the Custom House. Six drawings of Monterey in the possession of the Huntington Library confirm the matter. Accurately drawn by William R. Hutton, Army paymaster and draftsman, they show an interesting evolution in the moving of the flagstaff. One drawn in 1847 includes the Custom House, but not the grounds towards the shore, and no flagstaff is shown on the building. A second drawn on June 5, 1847, shows the flagstaff located on the Custom House grounds a few feet away from the northeast corner of the Custom House.[11] Two others drawn in 1848 show the flagstaff on the northeast corner of the building. A fifth drawn in 1849 and a sixth in 1851 also show the flagstaff on the northeast corner.

The flagstaff may have been moved again from the northeast corner, where it was in 1848 and 1849, to opposite the northwest corner, where Bayard Taylor in his *El Dorado* shows it about 1850.[12] Later it was moved to the northwest corner of the building itself where it was for three quarters of a century. When it was moved, this writer has been unable to ascertain. Perhaps in musty records in Washington, D. C., that answer will be found. It is not surprising that it was moved several times in the course of the years. Flagstaffs have a way of disintegrating. Such may have been the case in Monterey, where the comparatively soft Monterey pine was used. We have evidence that there was a flagstaff at the Custom House in 1827. Again, Larkin put up a new one in 1843. Whether the flagstaff erected on the northeast corner of the Custom House after June 5, 1847, was the Larkin flagstaff is difficult to ascertain. Whether the flagstaff opposite the northwest corner in 1850 and on the northwest corner in 1886, and thereafter, was the same as that portrayed in Hutton's drawings of 1848, 1849, and 1851 is also difficult to determine.

Based upon the above evidence, particularly Hutton's drawing of June 5, 1847, recent archaeological excavations conducted by the Department of Anthropology, University of California, in cooperation with the California State Park Commission, the City of Monterey, and the National Park Service, have resulted in finding the original flagstaff base. This base, now rotted, was set within a rock cairn. Several feet underground, it had been covered by earth fill. Identified as Monterey pine by Dr. Ralph W. Chaney, Professor of Paleontology, University of California, the flagstaff base is now in the process of being preserved by University of California scientists. After impregnation with modern chemicals, what is left of the original flagstaff, a piece some 3 feet in length and 9 inches in diameter, will be placed on display at the Custom House. A smaller portion, about a foot long and 4 inches in diameter, is on temporary display in the museum there. The cairn, part of which is preserved, will be left *in situ* beneath the surface of the ground.

A new flagstaff, constructed of Monterey pine, has been erected at the Custom House on the spot indicated by Hutton in 1847. Actually set within what is left of the rock cairn, this flagstaff was dedicated by the Native Sons and Daughters of the Golden West and the California State Park Commission during ceremonies in which Governor Earl Warren participated on July 6, 1946. A memorial plaque has been placed there by these organizations. On July 7, 1946, in simple ceremonies the United States Flag was raised on this newly erected flagstaff by United States Marines. These twentieth century successors of Commodore Sloat's forces had put the flag back where it was raised on July 7, 1846.[13]

NOTES

1. National Association of Veterans of the Mexican War, *History of the Celebrations of the Semi-Centennial Anniversaries of the Raising of the American Flag and Occupation of California* (Oakland, 1896).

2. The Monterey *Argus*, July 10, 1886.

3. E. A. Sherman, *The Life of the Late Rear-Admiral John Drake Sloat* (Oakland, 1902), 78-79. Toler's statement is an interesting one. This writer wonders whether he might not have been confused in his directions. Because of the location of the Custom House on Monterey Bay, directions do seem to be turned around. Ordinarily, west is seaward on the California coast. At the Custom House, east is towards the water's edge. However it may have been, there is nothing in Sherman's printed words of Toler that indicates that the flag was raised on the building. Actually Toler said that the officers were standing at the corner prior to the raising of the flag.

4. Monterey *Argus*, July 10, 1886.

5. O. C. Coy, *A Pictorial History of California* (Berkeley, 1925), picture No. 114.

6. M. G. Vallejo, "Documentos para la Historia de California" (manuscript in Bancroft Library), XIX, 102-103.

7. *Message from the President* . . ., 29th Cong., 2d sess., H. Ex. Doc. No. 4 (Washington, 1846), p. 649.

8. The Larkin lithographs are confusing items. The lithograph showing the flagstaff would indicate that it was several feet from the northwest corner of the Custom House. The key to the lithograph, however, shows the flagstaff opposite the northeast corner.

9. Letter from T. O. Larkin to Abel Stearns, Monterey, July 8, 1846, in Larkin *Papers,* IV, part 2, 394-96 (unpublished). It is interesting to know that Larkin sold a Mexican flag to Governor Micheltorena on August 20, 1844, for $3.6, and one to John A. Sutter on November 1, 1844, for $15.6. *See* Larkin *Accounts,* XIII.

10. In addition to the flagstaff at the Custom House, El Castillo, and the Casa de Gobierno, Larkin *Papers,* II, 568, shows that Larkin had erected a flagstaff at the Larkin House in 1844. This was especially for the United States Consulate. Ninety-six yards of bunting, costing $72, were used for the American flag which flew from this flagstaff.

11. The drawing of June 5, 1847, was checked for accuracy by this writer. An observer will notice one very significant detail about this drawing, other than the location of the flagstaff a few feet opposite the northeast corner. The Royal Presidio Chapel is shown directly in line with the position where the artist was sitting and the top of the north end of the Custom House. A line projected on a modern map from the tower of the church through the peak at the north end of the Custom House, if extended to the area of the old fort, comes out exactly where the artist must have been sittting. This simplified the problem as to where to dig to find the base of the flagstaff in archaelogical excavations done by the Department of Anthropology, University of California, during May and June 1946.

12. B. Taylor, *El Dorado, or, Adventure in the Path of Empire* (New York, 1850), 121.

13. This paper is based mainly on the writer's report transmitted to the Hon. Joseph R. Knowland on May 9, 1946.

APPENDIX

Correspondence

601 Sheldon Building*
San Francisco, 5

May 9, 1946.

The Hon. Joseph R. Knowland,
Chairman, California State Park Commission,
Tribune Tower,
Oakland, California.

My dear Mr. Knowland:

There is transmitted herewith Regional Historian Neasham's report, *The Raising of the Flag at Monterey, California, July 7, 1846,* which was prepared as a result of your telephone request to him of May 1.

It is hoped that this information will be helpful to you in determining just where the United States flag was raised on July 7, 1846. Certainly, the raising of the flag at that time had great significance, not only for California, but for the entire nation, as well.

Sincerely yours,

O. A. Tomlinson,
Regional Director.

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601 Sheldon Building
San Francisco, 5

May 15, 1946.

MEMORANDUM FOR THE DIRECTOR.

There is transmitted herewith a copy of Regional Historian Neasham's report, *The Raising of the Flag at Monterey, California, July 7, 1846,* which was prepared at the request of the Hon. Joseph R. Knowland, Chairman, California State Park Commission, on May 1.

Having the documentary evidence, Mr. Knowland may now desire an archaeological investigation made to determine whether the base of the 1846 flagstaff can be located. Consequently, Dr. Neasham and Dr. Theodore D. McCown, Assistant Professor of Anthropology, University of California, are going to Monterey on May 18 to prepare for such a survey. The survey, if done, will be paid for by the California State Park Commission, with the exception of Neasham's time and travel.

The question as to the location of this flagstaff is timely, as ceremonies will be held in Monterey on July 7, 1946, to commemorate the 100th anniversary of the raising of the United States flag over California. Even though the flagstaff may not be found, it is believed that some interesting artifacts reaching back to the Spanish period may be unearthed.

Mr. Knowland has requested that no publicity arise in this matter, if possible. A copy of Regional Director Tomlinson's letter of May 9 to Mr. Knowland is attached.

Herbert Maier,
Acting Regional Director.

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601 Sheldon Building
San Francisco, 5

May 22, 1946.

MEMORANDUM for the Files.

At the request of the Hon. Joseph R. Knowland, Chairman, California State Park

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*The letter-head for correspondence from this address is: United States Department of the Interior, National Park Service, Region Four.

Commission, I went to Monterey, California, on May 18 with Dr. T. D. McCown, Assistant Professor of Anthropology, University of California, and Mr. R. Beardsley, graduate student in Anthropology.

Meeting in Colonel Allan Griffin's office with Colonel Roger S. Fitch (Monterey History and Art Association), Mrs. Mary Greene (Curator of the Custom House), and Mr. W. O'Donnel *(Monterey Peninsula Herald)*, we discussed the possibility of an archaeological exploration at the north end of the Custom House to determine the location of the flagstaff upon which the American flag was raised on July 7, 1846. All agreed that such an exploration would be valuable. Even if the base of the flagstaff cannot be found, some interesting artifacts may be unearthed.

Later, on going over the ground at the Custom House, it was apparent that the Custom House may be situated on an old Indian mound. How extensive this may be can only be determined by archaeological excavation. Whether the site of the 1846 flagstaff can be found is uncertain. Modern accretions may have covered or destroyed the site.

In a telephone conversation with the undersigned on May 21, Mr. Knowland approved the plan to search for the base of the 1846 flagstaff. He said that he would send an authorization to Dr. McCown allowing him to begin the archaeological work at the Custom House. The cost of the survey is to be paid by the California State Park Commission.

Mr. Beardsley plans shortly to begin the survey. In addition to a basic crew of himself and two laborers, he plans to use college and high school students, if necessary.

VERNON A. NEASHAM,
Regional Historian.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS

May 28, 1946.

MEMORANDUM for the Regional Director, Region Four.

We have read with more than ordinary interest your memorandum of May 15 and Regional Historian Neasham's report of May 8, "The Raising of the Flag at Monterey, California, July 7, 1846."

The conclusions of the report illustrate the dangers involved in accepting preconceived opinions about historic sites or even the testimony of actual witnesses when such testimony is given many years after an event. While to many people it is impious to question long established tradition, the truth, which is often in surprising contrast to popular conceptions, can be had only through the exhaustive type of research that is exemplified in Dr. Neasham's study.

We shall be interested in the results of the proposed archaeological excavation.

NEWTON B. DRURY,
Director.

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601 Sheldon Building
San Francisco, 5

June 12, 1946.

MEMORANDUM for the Director.

The attached statement, concerning the raising of the United States flag at Monterey, California, on June 7, 1846, signed by Messrs. Neasham, McCown, Chaney, and Bolton, was presented today to the Hon. Joseph R. Knowland, Chairman, California State Park Commission.

HERBERT MAIER,
Acting Regional Director.

UNIVERSITY OF CALIFORNIA
Berkeley, California

The Raising of the United States Flag at Monterey, July 7, 1846

Cumulative evidence indicates that the United States flag was raised in Monterey by the forces of Commodore John D. Sloat, U. S. Navy, on July 7, 1846, at a spot five and a half feet from the northeast corner of the Custom House. This is based on documentary evidence from the accounts of Thomas O. Larkin, which show that he erected a flagstaff at the Custom House in 1843. W. R. Hutton's drawing of June 5, 1847, definitely locates the flagstaff at this spot. This is confirmed by archaeological excavation done by the Department of Anthropology, University of California, within the last few weeks, during which the base of the flagstaff was located. The rotted base set within a rock cairn has been identified as pine, probably Monterey pine. This will be preserved as a museum exhibit within the Custom House. The rock cairn will be preserved in situ underneath the surface of the ground. A new flagstaff will be placed on the site of the original flagstaff of 1846.

Additional evidence indicates that the flagstaff was moved on several occasions after 1846. Hutton's drawings show it on the northeast corner of the Custom House in 1848. Bayard Taylor's drawing of approximately 1850 shows it several feet from the northwest corner. For the last three quarters of a century it has been attached to the northwest corner of the Custom House. Further research in the archives of the War and Navy Departments may reveal the exact times of moving and the reasons.

It is anticipated that a full report of the historical, archaeological, and paleontological evidence, and modern techniques of preserving the original base, will be published at an early date in the *California Historical Society Quarterly*, if desired.

Vernon Aubrey Neasham,
Regional Historian,
National Park Service;
Theodore D. McCown,
Assistant Professor of Anthropology;
Ralph W. Chaney,
Professor of Paleontology;
Herbert E. Bolton,
Sather Professor of History, Emeritius.

June 12, 1946.

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601 Sheldon Building
San Francisco, 5

June 15, 1946.

MEMORANDUM for the Regional Director, Region Four.

I journeyed to Monterey, California, on Saturday, June 8, accompanied by Dr. R. W. Chaney, Professor of Paleontology, and Dr. T. D. McCown, Assistant Professor of Anthropology, University of California, for the purpose of inspecting the archaeological excavation being done at the Custom House. During the afternoon, we were joined by the Hon. J. R. Knowland, Chairman, California State Park Commission. In Mr. Knowland's presence, we completed uncovering the base of the flagstaff upon which the United States flag was raised by the forces of Commodore John D. Sloat, on July 7, 1846. The rotted base of the flagstaff was set in a cairn of granite rocks, approximately 5 feet from the northeast corner of the Custom House.

Again on Tuesday, June 11, I went to Monterey to inspect the site of the archaeological investigation. Mr. R. Beardsley, in charge of the field party of archaeologists, had already left Monterey, taking with him the rotted base and other materials unearthed for preservation at the University of California. The rock cairn will be left in situ, and recovered with earth, after a new flagstaff has been erected at this site. After preservation, the original base of the flagstaff will be placed on display at the Custom House.

Mr. H. L. Blaisdell, Superintendent, North Central Section, Division of Beaches and Parks, and I discussed on June 11 in Monterey ways and means of erecting a new flagstaff on the original site. It was decided that he, Landscape Engineer Dan Hull of the Division of Beaches and Parks, Regional Architect DeLong, Regional Engineer Crowley, and I would meet in the Region Four Office on June 17 to prepare plans and specifications for the new flagstaff.

On Wednesday, June 12, Messrs. Chaney, McCown, Bolton, and I signed a short statement on our findings, with the suggestion that a full report on historical, archaeological, and paleontological evidence, and methods used to preserve the original flagstaff base be submitted to the California Historical Society for publication, if desired. This signed statement was submitted to Mr. Knowland on June 12 for presentation to and action by the California State Park Commission in its meeting in Sonoma on June 13.

Vernon A. Neasham,
Regional Historian.

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601 Sheldon Building
San Francisco, 5

June 24, 1946.

MEMORANDUM for the Director.

Regional Historian Neasham has been asked by the California Historical Society to contribute an article for publication in the near future on his findings relative to the raising of the United States flag at Monterey on July 7, 1846. In addition, there will be a short introduction by the Hon. Joseph R. Knowland, Chairman, California State Park Commission, and a portion to be submitted by the Department of Anthropology, University of California, summarizing archaeological work done.

Permission is requested to use Neasham's report, submitted to Mr. Knowland on May 9, copy of which was transmitted to you, as a basis for his article, together with such official correspondence as may be applicable. As this correspondence is not of a confidential nature, and does clarify the steps taken and the technique involved, we believe there would be no reason not to include it in the appendix to the article.

O. A. Tomlinson,
Regional Director.

UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service
Chicago 54, Ill.

Air Mail June 27, 1946

MEMORANDUM for the Regional Director Region Four

As requested in your memorandum of June 24, permission is given for the publication of Regional Historian Vernon A. Neasham's report entitled "The Raising of the Flag at Monterey, California, July 7, 1846." We congratulate Dr. Neasham upon the forthcoming publication of his scholarly article.

Hillory A. Tolson
Acting Director

The Monterey Custom House Flag Pole: Archaeological Findings

By Richard K. Beardsley

UNTIL this year, no one has been able to point with assurance to the precise spot at which the flag pole of the Monterey Custom House stood, when Commodore Sloat on July 7, 1846, raised the American flag in claim of California as American territory. This event set the Monterey flag pole apart from others, distinguishing it as a specific and original symbol of events climaxed by California's admission to the United States. Where the pole stood on that occasion, however, or whether a permanent pole existed at all, has remained a question, in spite of research into the historical records. Nearly contemporaneous drawings represent a flag pole in various situations other than the northwest corner of the building, where the only trace of a pole had been for 70 years. In view of this long uncertainty, archaeological investigation was proposed under the sponsorship of the Honorable Joseph R. Knowland, Chairman of the State Park Commission. Its purpose was to settle the question by testing the validity of the various drawings and other records, i.e., to find some trace of the 1846 flag pole.

This objective, viewed as a clear-cut test on a small scale as to how well the two disciplines of archaeology and history can combine in approaching California problems, made the project attractive to the archaeologist.[1] In the pages which follow it will appear that the combination was a happy one, because the Monterey Custom House rests on one of the many aboriginal shellmound deposits which fringe the shores of Monterey Bay. We were assured of a welcome addition to our scant information concerning the pre-Spanish Indians of the Bay by digging here, and we had the additional chance of finding articles of European or Mexican manufacture dropped by the wayside in the days when the Custom House was the official focus of trade in California. All such discoveries, whether related to the problem of flag pole location or not, would contribute to the gradually evolving systematic picture of prehistoric and early historic life in California.

This paper presents the archaeological evidence uncovered between May 27 and June 10, 1946, which bears directly on the discovery of the 1846 flag pole. It is hoped that a full report on the other findings can be presented when supplementary excavations now planned are completed. For the present, it is more to the point to confine ourselves to the last hundred years of history, except where mention of antecedent remains will clarify discussion of the Custom House flag pole.

Preliminary Data: History of the Custom House Vicinity[2]

Before digging, all we knew for sure was that the flag pole once stood at or near the north end of the Custom House. In the absence of a specific description of the pole or its setting, we wanted to avoid mistaking anything else as the remains of the flag pole, and to that end looked over the available information to see what might have left traces in the ground. This information is given in the following paragraphs.

The Custom House is known to have been in existence on the present site in 1827. By 1841, however, it was so badly broken down that the Mexican authorities took a bid from Thomas O. Larkin (later to be consular representative of the United States for California) for its complete reconstruction. Larkin appears to have rebuilt it larger than the earlier building, adding a portico along the east, or beachward, side and constructing a new section at the southern end, over a period of several years. He also contracted to "level off the ground outside to a width of three varas [96″] in front." In 1903 the building was renovated by the Native Sons and Daughters of the Golden West, without, however, altering its periphery; consequently it can be fairly assumed to have the same overall dimensions as it did following Larkin's reconstruction. The building is a long rectangle in three sections, measuring 33 feet in width (31 feet, 9 inches between corner posts) and 135 feet, 4 inches in length. Included in these dimensions are the porticos on the south, east, and north sides, which are 8 feet, 9 inches broad.

The Custom House lies at the very edge of the beach, its long eastern side overlooking a quiet stretch of the bay where the sandy beach made a favorite place from early times for landing boats from ships anchored offshore. A tongue of land projecting from the north-south shore line just north of the Custom House was utilized by Larkin as the approach to a wharf of rock filled cribwork, which he completed in 1846 as an improvement to the landing. The base of the wharf must have been a hundred feet more or less distant from the Custom House, so that its piles or cribbing could not very well exist in the immediate vicinity of the building and thus be mistaken for flag pole remains. To the south of this projecting tongue, erosion through the years seems to have worn the cliff back to an irregular edge only one to two feet away from the east border of the building. A pre-1879 photograph shows the edge of the portico propped up in several spots with stones, piled on the brink of the nine foot face dropping down to the beach below. The narrow margin of the clearance is shown in the survey map of 1879,[3] which also shows unmistakably how the edge swings seaward about two feet short of the northeast corner of the building to form the rocky point from which the wharf was built. It can be seen from map and photograph that, although excavation along the east edge would not find natural soil any distance from the building, the area north of the Custom House does contain natural soil extending eastward. This point is emphasized here because of its bearing on the flag pole problem.

The west side of the Custom House is obscured in earlier pictures by a pole-supported shed roof. This was removed in later days, probably when a horsecar railway was laid within about 15 feet of the building; the railway was removed in turn or covered over when Alvarado Street was paved and a sidewalk built at the wall. Our excavation (Pit C) near this face of the building was too limited to encounter any demonstrable effect of this development.

Man-made changes in the situation since 1879 along the east and north sides of the building, however, were important enough to be amply reflected in our pits. A spur of narrow gauge track was laid directly parallel to the east side of a fill of large boulders and earth in 1879; it ran within six feet of the building. When the line was changed to standard gauge, it was moved farther out on a widened fill until its center line was 11 feet from the northeast corner. When moved once more, to permit the city to open Scott Street to traffic south of the Custom House grounds, the track ended in its present position, approaching the Custom House at an angle from the south and clearing the corner by only 13 feet before continuing north. As comfort, however cool, to those concerned with the preservation of historic sites, I may add that the beach no longer threatens the foundation of the building; forty feet and more of railroad fill and ballast lie, massive and unlovely, between the Custom House and its beach.

The wharf on the point has been enlarged several times, reaching shoreward to meet the fill that was moving farther and farther out across the point from the opposite side. The overburden now almost conceals the fact that a natural point of land exists. Oiled gravel spread over the space between Alvarado Street and the wharf a number of times during the last decades has been the final step in tying this area into the street system of the solid land. This oiled gravel and asphalt covering has not quite spread to the north end of the building. Its edge feathers out irregularly at a distance of 12 to 20 feet from the portico, along the line indicated in the accompanying plan (Plate I). Although an ornamental curbing of sandstone flagstones has been added to the north face, extending six feet out from the line of columns, there remains a space eight to twelve feet wide with no covering over its sandy surface. This is the area into which Pit A was sunk.

The drawings, photographs, and documentary material assembled in the historical study of the location hint strongly that not one but several flag poles have existed at the north end of the Custom House at different times.[4] On the strength of Major Sherman's testimony,[5] the pole now rising from the northwest corner of the Custom House has long been assumed to be the original and only one, and was so considered during the celebration held in 1886 and the semicentennial of 1896. But the drawings showing the scene at various periods since 1842 do not all agree. They show a flag pole attached to the northwest corner, one rising from the northeast corner, or one separate from the building in various locations along the northern side. Some,

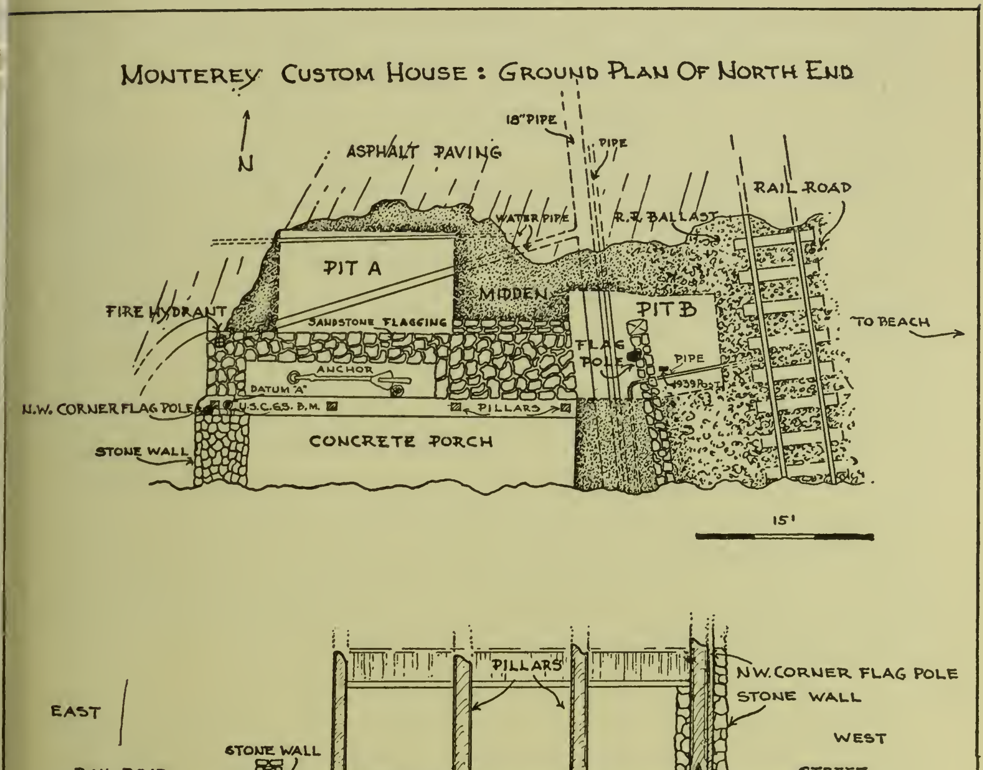
MONTEREY CUSTOM HOUSE : GROUND PLAN OF NORTH END
N
ASPHALT PAVING
18" PIPE
PIPE
RAIL ROAD
WATER PIPE
R.R. BALLAST
PIT A
MIDDEN
PIT B
FIRE HYDRANT
SANDSTONE FLAGGING
TO BEACH
FLAG POLE
PIPE
ANCHOR
1939 POST
DATUM "A"
N.W. CORNER FLAG POLE
U.S.C.GS. B.M.
PILLARS
STONE WALL
CONCRETE PORCH
15'
PILLARS
NW. CORNER FLAG POLE
STONE WALL
EAST
WEST
STONE WALL
RAIL ROAD
1939 POST
FLAGGING
STREET
PIPES
R.R. BALLAST
MIDDEN
PIT A
PIT B
BASE OF FLAG POLE
YELLOW-BROWN STERILE BASE
PROFILE EAST AND WEST
EUROPEAN REFUSE
ROUGH GRANITE STONES
DETAIL OF ROCK CAIRN IN PIT "B" AT 24" LEVEL: SHOWING FLAGPOLE, VERTICAL REDWOOD SHIMS, CAIRN AND REFUSE ON BEACH SIDE.
3/4" PIPE
DISTURBED AREA
APPROX. LIMITS OF CAIRN AND BROWN EARTH

PLATE I

in fact, show no pole at all. The specific problem set for archaeology was to determine whether their lack of unanimity was true to historic fact or should be attributed to artistic misrepresentation. The information agreed on at least one point: that the flag pole in question was somewhere about the north end of the building. For this reason, and for lack of time to dig elsewhere, our pits were confined to this quarter.

Before we began the digging it seemed quite possible that no more trace of a flag pole might be found below the ground than appeared on the surface. The hundred years in which Monterey was growing to its present urban state have seen considerable changes in the scene, and although experience has shown that the habitation deposit of an Indian site can survive a good deal of mauling, a flag pole is of a rather more transitory nature. The original Indian site may have stretched along the shore more or less continuously as far as the creek once bordering the Presidio a quarter of a mile away, although recent road-building and similar activities have obliterated most of it, as well as blocking the creek mouth. Near the Custom House in particular, pipeline trenches, etc., such as were reported to have uncovered at least two aboriginal flexed burials, might well have effaced all trace of a one-time flag pole resting in the ground. In other words, it was recognized beforehand that negative evidence would not conclusively rule out the possibility of a flag pole other than the one at the northwest corner as the pole used in 1846 by Commodore Sloat.

Approach and Technique

The first excavation was a stratigraphic pit, nine by fifteen feet, dug to determine depth of midden deposit and general stratigraphic levels (Pit A, plan view, Plate I). Finding a sterile clay base in Pit A at a depth of five feet, we used the Hutton drawing of June 5, 1847, as a guide to locate Pit B on a vector including the flag pole indicated in the drawing (west half of Pit B on the plan). When a solid piece of wood embedded in rocks was uncovered here, the pit was extended eastward toward the railroad tracks to expose it more thoroughly. The eastern edge was sloped from the surface and stepped inward to avoid collapse of the pit wall from vibration of passing trains. Finally, as a last check for certainty, at the northwest corner of the building a small pit (Pit C) was opened through the pavement to investigate the area vertically beneath the present flag pole, the sawn butt of which terminates eight feet above the sidewalk level.

In these pits a total of about 1200 cubic feet of soil was turned over with a trowel or examined in similarly detailed manner. All features of interest were first cleared horizontally, then removed by vertical slicing. The customary ice pick and camel-hair brush technique was used to expose burials or other features for photographing. When finer measures seemed advisable to recover potential items of interest, portions of the dirt were put through screens before removal. The horizontal locations of all possibly significant features and artifacts were measured in feet and inches in a theoretical grid or network of perpendiculars based on a permanent *datum* zero.[6] The north-south lines of this grid paralleled Custom House walls at 20° west of magnetic north. Depth of occurrence was recorded in inches from the surface, which has a 5° slope eastward toward the beach.

Findings: Stratigraphy and Disturbance

In all pits a midden deposit, consisting of a greasy black dirt rich in the carbon produced by decay of abundant organic remains and intersprinkled with animal bones, fish bones, and whole or broken shells of abalone, mussel, clam, limpet, oyster, and land snail, overlay the yellow-brown clay of natural formation. The thickness of this midden varied considerably: in Pit A it reached 60 inches depth over-all, but in Pit B it sloped steeply beachward from this depth, although additional midden contributed to the mass of artificially laid overburden which rose to approximately the same 60-inch depth above the clay base (see cross section, Plate I). The details of this are discussed below.

We expected to find incidental disturbance of the soil wherever we dug, in view of the urban activities to which this vicinity had been subjected. The outlet valves of a pipe to the corner fire hydrant were, in fact, visible on the ground surface. Digging revealed two pipe lines in Pit A and three more in Pit B; of these, only the smallest in Pit B was "dead" and could be removed.[7] The ground above these pipes was disturbed, of course, but soil lines marking the edge of the pipe-line trenches, coupled with the occurrence of a hard, smooth layer about 29 inches deep in Pit A, led us to assume that material below this depth was probably undisturbed here except by the ubiquitous rodents. Pipe-line disturbance was more extensive in the western half of Pit B, but fortunately was confined to this sector of the pit. It was true in general that pipe-line excavators were admirably economical of their efforts.

It should be mentioned that the midden deposit was not entirely uniform. The lower half of Pit A and all that appeared to be original midden in Pit B (i.e., depth 30 to 34 inches from surface) was black but deficient in shell. Only small bits of shell occurred and they were fairly rare. This and other points of difference may be due to natural causes of weathering and leaching, or may reflect a difference in the living patterns of the aboriginals whose campfire leavings built the deposit. Further digging may supply the evidence required to show whether the culture of the earliest inhabitants of this site was substantially the same as that found by the Spanish explorers, or different.

Aboriginal Remains

Most of the native artifacts and features that were found came from Pit A, which had the bulk of aboriginal midden deposit. Beneath a four inch accumulation of sandy dirt, containing enough nails, glass and wood fragments, etc., to appear fairly recent, only an occasional small bit of non-aboriginal material occurred to bear witness either to a pipe-line trench or to rodent tunneling in this pit. At 30 inches depth we found what is best described as a house floor, although no post molds or indubitable edge were found to prove it as such. This dirt floor, hard packed and sandy, lay 15 inches deeper than a thin lamination of sand and ash which may represent a contemporaneous ground surface. The house must have been built of destructible materials, either in a shallow pit or on the surface of the ground. A bone-crammed pit of burned shell and ashes, centering on an inverted cone of ashes, may represent the central fire pit; if so, it would indicate the house to have been about 18 feet in diameter. Over the surface of the floor, as well as among animal refuse dumped in a pit contiguous to the door, were numerous stones burned from heating in fire; these were presumably used in the general California Indian practice of stone-boiling to heat water or food in baskets. Among them were also fragmentary bone tools used for hide-scraping, flaking tools, or punching holes, as well as a variety of chipped-stone projectile points, choppers and hide-scrapers, a fragment of a granite mortar pecked out to grind seeds and acorns and natural cobblestones used as pounding implements in such a mortar. Of interest as indicating trade with groups in the hills or farther away, or the alternative of seasonal removal of these inhabitants to the hills, are knife or arrow points of obsidian and a mortar fragment of vesicular basalt found near the surface. Neither of these materials occurs on the ocean flank of the Coast Ranges.

We note no striking discrepancies between the story decipherable from these finds and the brief ethnographic record available for Monterey Indians of historic times.[8] It is true that the recent Costanoans favored cremation in disposing of their dead, burying only those who were too poor, or devoid of relatives, in flexed position near the village. We found no cremations. In contrast to ethnographic statements, we record the burial of an infant, accompanied by a handful of *Olivella* shells which served historic Indians as money; this burial was made directly beneath the center of the fire pit noted before, probably while the house to which the fire pit belonged was still occupied.[9] This infant was neither a pauper nor buried away from the village; it would be interesting to know more about the social custom which appears to treat the death of an infant, scarcely attached to society, differently from the deaths of most of the group. Burial 2, found in Pit B close to but clearly unassociated with a historic mound of rocks, was a young adult male, flexed on the right side and accompanied by fewer of the same shells and small quartz pebbles which filled the infant grave. Over this burial a small cairn of rough, unshaped beach stones had been piled.

Historic Features

Pit A. Two clear instances of disturbance unrelated to pipe lines were examined for their bearing on the flag pole question. One of these was a vertical pit 10 inches in east-west diameter and somewhat more transversely. It lay six feet north of the north edge of the Custom House, ten feet east from datum, and was overlain by the modern flagstone curbing. The sandy surface layer covered the top; the fill below this was loose and fairly sandy. Although the loose fill continued to a depth of 29 inches, its actual bottom appeared to be at 19 inches depth, where a horizontal lamination of sand and ash was unbroken across it; loose dirt below this may be the fill of a rodent hole. A few concretions of iron rust were the only items of possible significance found in the loose fill. It is likely that this is a post hole of not too recent date, to judge from the sandy dirt resting across the top; but its small size and irregular dimensions put it out of the running as a flag-pole possibility.

A much more likely filled hole lay three feet nearer the northwest corner; distance from datum to its center was five feet north and six feet seven inches east. This hole was of considerable size, being about 16 inches in diameter and extending to a depth of 78 inches. Its opening at the surface was blocked by a granite stone included in the fill of the flagstone curbing, and another unshaped granite block lay athwart its bottom. When the fill was cleared by scraping with the bare hands and brushing, cylindrical sides were exposed which continued below yellow clay at the base of the midden. The quite loose fill was midden dirt, but mixed with this was sand and considerable quantity of refuse: besides ax chips and other flakes of wood, were a peach stone, a Prince Albert and an Edgeworth tobacco can, a three foot length of concrete curbing and a perforated square of yellow-painted metal like a telephone pole cross-arm washer.

These items leave no doubt that the hole was filled in relatively recent years. It seemed injudicious to attempt to distinguish between, say, a telephone pole and a flag pole simply from a hole left in the ground, but we were from the beginning skeptical of the import of this hole. A photograph dating after 1903, reproduced in Aubrey Drury's *California*,[9a] was ultimately located to justify our disbelief. The clearest item of this photograph is a tall telegraph pole erected at the exact spot at which the hole remains.

Pit B. Excavation of Pit B disclosed a wealth of non-aboriginal features whose relations to each other, if carefully observed, provide a well-detailed picture of events leading to the present from late Mexican times. It is with some apology that I present the necessarily minute review of the details found from the surface to the base and describe each of the features before proceeding to the events they represent in their apparent chronological order. The cross-sectional diagrams which accompany this paper (Plate I) should help to clarify the discussion which follows.

A low dividing wall of sandstone flagstones, built between the grounds of the Custom House and the railroad, crossed the surface of Pit B within 18° of the north-south axis adopted for excavation. West from the wall, i.e., inside the Custom House grounds proper, was a sandy surface extending a few inches downward. The wall itself reached below this surface and acted as a retaining wall for the latest fill of very tightly packed gravel railroad ballast, although it was built over an earlier fill of similar ballast. The earlier fill was distinguished from the later by the smaller average size of gravel fragments and by the relative lack of sterile brown earth[10] mixed in as binder.

Beneath the ballast lay black midden which was extremely compacted, but disclosed patches of hard, smooth surface when carefully trowelled. Its compaction seems more likely the result of puddling with water than the tamping effect of daily trains of freight and passenger cars passing along the railroad, since the same earth inside the Custom House grounds was similarly hard packed, even above an 18-inch water main and a 2½-inch pipe of recent date. Over its surface, but below railroad fill in a matrix of sandy dirt, lay a third pipe, of cast iron ¾ inch in diameter.

Immediately below the midden fill was a cairn built of unshaped granite boulders set into sterile brown earth and clustering around three sides of a post hole. The upper part of this hole was filled with midden, but below it there remained a 54-inch length of stump representing the base of the pole, surrounded by a network of rodent holes.[11] Excavations for the pipes in this vicinity had cut into the rocks and brown earth on the fourth side of the cairn, destroying its contours nearest the Custom House. Rock fragments and clumps of earth remained scattered through the fill over and around the pipe lines, testifying to the one-time extension of the cairn in their direction. In contrast to the pipe-line trenches in Pit A, however, no clear pit lines were traceable to permit assurance as to the limits of this disturbance. It seems possible, indeed, that the workmen digging pipe lines had come across the pole stump and had dug down to expose it partially before filling their trenches.

The brown earth and rock cairn projected above the midden surface only at its highest point east of the dividing wall. Its top surface sloped in a curve downward to the east and to the south, and the general slope of the flat bottom surface was southeast. In other words, it must have lain in the angle made where the point of land running back from the wharf joined the general north-south line of the beach bank, and it must have been built on midden which sloped rather sharply toward the beach or the cliff at the beach edge. The cairn's greatest over-all thickness is 23 inches, although the earth and rocks extend beneath the general base downward in a sort of collar around the wooden pole to within 12 inches of clay bottom. Maximum horizontal dimensions of the cairn, as reconstructed from soil lines in the profile, give an oblong plan 10 feet by about 8½ feet.

Embedded in the brown earth without rocks, which formed the downhill (and seaward) lobe of this oblong, were broken articles and fragments of bone bespeaking a refuse pile of historic times; broken crockery and china, window pane and wine glass fragments, iron nails and rusted metal, buttons and bottle necks, cut beef bones and mutton chop bones, etc., were scattered heterogeneously through the earth, with patches of ash in several places testifying to fires which had helped to destroy perishable items. A few small pieces of glass and crockery were even found among the outer stones of the cairn, and one small piece of brown bottle glass, as well as a broken square-shanked nail, occurred near the base of the pole itself.[12]

Below the brown earth level, however, historic artifacts such as nail fragments occurred only in softer earth where they presumably had been dragged by the rodents infesting the area. Only four such occurrences were noted. The black midden below the cairn corresponded to the lower levels of Pit A in its relative lack of shell, ash and charcoal fragments. Within this midden, and furnishing evidence of an absence of disturbance other than by rodents, were found a well-defined lens of burned shell and yellow ash lying just below the base of the cairn and an aboriginal flexed burial (Burial 2). Neither of these features could have survived major disturbance such as excavation.

The yellow clay bottom in Pit B lay 54 inches beneath the sandy surface of the Custom House grounds. It was cut into by the pit of Burial 2, which ran only a couple of inches into the clay, and by the straight sided, flat bottomed hole 30 inches in diameter dug into it to receive the pole associated with the rock cairn.

The wooden pole of the cairn was a cylindrical piece 54 inches long from base to broken off top, and 9 inches at maximum diameter. The hole in which it was set began at the highest point of the cairn and was dug down through midden to penetrate 21 inches into the clay base, or 72 inches below the present surface. The base of the pole rested on slightly less than two inches of shell midden, which probably fell in during the excavation of the hole. It was irregularly braced by flat redwood shims placed vertically alongside (see Plate I, plan view of Pit B) and was further supported by unshaped stones. The intervening spaces were filled with sand to a distance some inches above the surface of the yellow clay; above this was either the black midden, which penetrated after the pole was broken, or simply the empty space of a fresh gopher hole, whose occupants had worked portions of the pole down to a fraction of its original diameter.[13]

Specific identification of the wood has been made through the assistance of Dr. Ralph W. Chaney, Department of Paleontology, and Dr. Emanuel Fritz, Department of Forestry, University of California. Their report states that the wood of the pole is definitely Monterey pine, *Pinus radiata*, while that of the supporting shims about it is redwood, *Sequoia sempervirens*. The shims were of various sizes and in varying stages of preservation. They were set irregularly about the pole, but all reached very nearly to its base. The smallest was a mere fragment about seven inches long when found; the largest, fairly well preserved except for a longitudinal rotted hole, was 36 inches long, almost 10½ inches broad and ½ inch thick. It appeared to be a sawn board with square cut ends and faces.

A wooden beam, six by four inches and at least eight feet long, lay in midden three feet north of the cairn. It had no apparent relation to the cairn; it was assumed to be an old railroad tie discarded in a hole, although its presence in a midden matrix and the occurrence along its side of a couple of lath-like strips of wood with fibers running vertically remain unexplained by this assumption. It is somewhat large to be a post for a casual fence, such as is shown in one pre-1879 photograph of this corner of the Custom House.

One other feature remains to be mentioned. This is the base of an excellently preserved post two by six inches in cross section, broken off at ground surface; this was 18 inches horizontally distant from the wooden pole beneath midden in the cairn, and had no association with the pole except accidental proximity. It was set into a pit dug into and filled with railroad ballast.

Pit C. This pit was sunk below the pavement at the northwest corner of the Custom House as a check on the hypothesis that the flag pole there, which ended eight feet above the sidewalk, extended into the ground at one time. One supposedly contemporaneous drawing indicates this vicinity.[14] Pit C was not carried to the bottom. It went through black midden, beginning immediately below concrete fragments under the sidewalk, to a depth of 40 inches. Although slivers of wood were found, no features comparable to those of Pits A or B appeared. The concrete retaining wall supporting the north posts of the Custom House extends 36 inches below the surface and ends in black midden without trace of wood or purposeful structure beneath.

Interpretation: the Sequence of Events

The reader who has examined the profile as the discussion of details in Pit B progressed may possibly have formed his own conclusions as to the probable sequence of events demonstrated by their interrelations. Burial 2, lying at the base of the midden, was interred while the midden was still being formed, probably before the fires were built which left a lenticular pit of wood and shell ashes. Both the burial and the ash lens show that this section of midden existed in prehistoric times in its present state. There is also some reason to believe that the midden level at the base of the cairn marks approximately the level of the original surface during the Mexican period.

We can assume that the Custom House was built on the midden, at the edge of a bank sloping 12° or more beachward before disturbance (Stage I, Pl. II). No occasion of post-aboriginal disturbance is recorded in the cross-sectional profile until a hole about 48 inches deep was dug through the midden into the natural clay base; a pole nine inches in diameter was set into this hole, though not before some of the midden top-soil had fallen in, and secured with vertical wooden shims and unshaped granite stones brought

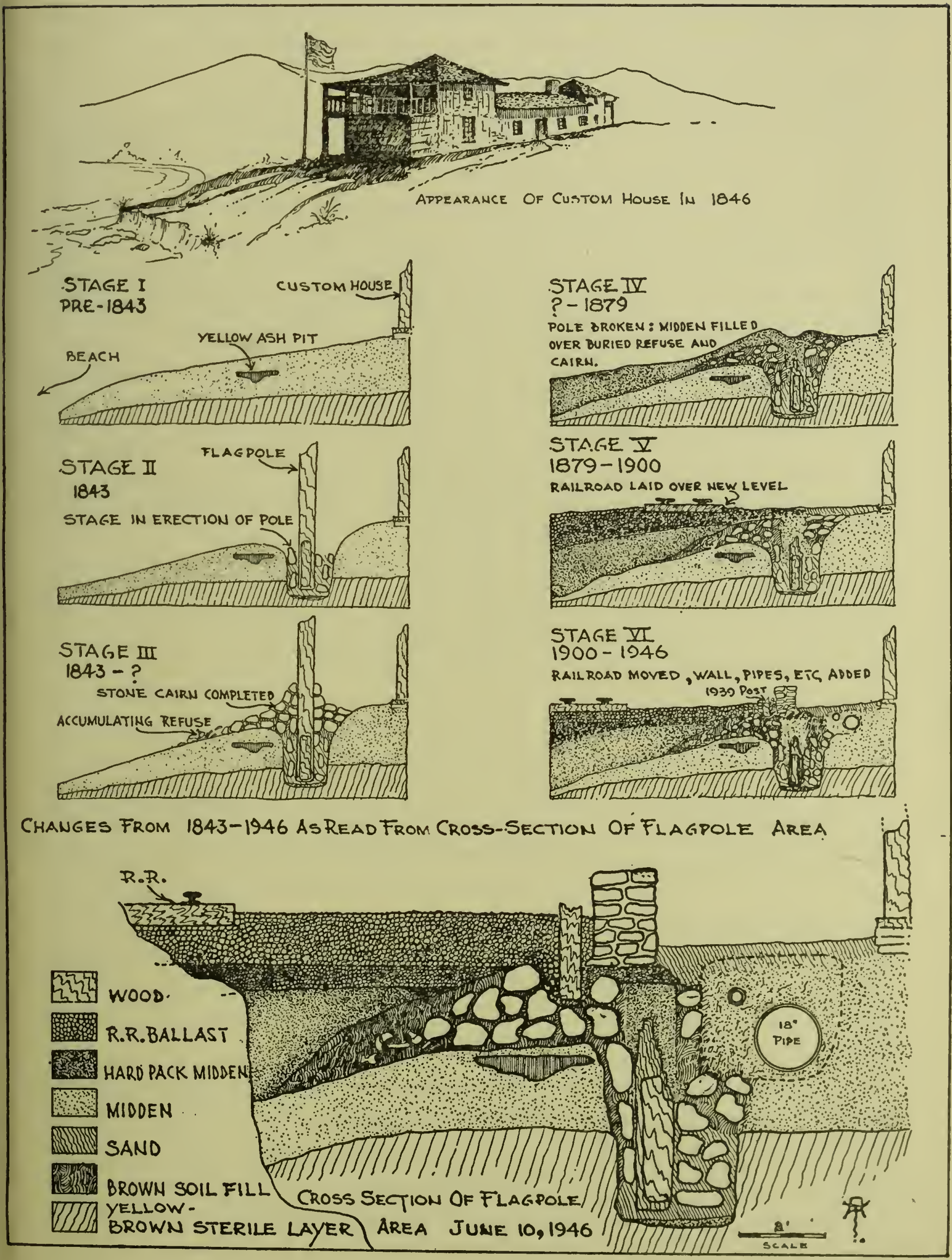
APPEARANCE OF CUSTOM HOUSE IN 1846
STAGE I
PRE-1843
CUSTOM HOUSE
YELLOW ASH PIT
BEACH
STAGE II
1843
FLAGPOLE
STAGE IN ERECTION OF POLE
STAGE III
1843 - ?
STONE CAIRN COMPLETED
ACCUMULATING REFUSE
STAGE IV
? - 1879
POLE BROKEN: MIDDEN FILLED OVER BURIED REFUSE AND CAIRN.
STAGE V
1879 - 1900
RAILROAD LAID OVER NEW LEVEL
STAGE VI
1900 - 1946
RAILROAD MOVED, WALL, PIPES, ETC ADDED
1939 POST
CHANGES FROM 1843-1946 AS READ FROM CROSS-SECTION OF FLAGPOLE AREA
R.R.
WOOD
R.R. BALLAST
HARD PACK MIDDEN
MIDDEN
SAND
BROWN SOIL FILL
YELLOW-BROWN STERILE LAYER
18" PIPE
CROSS SECTION OF FLAGPOLE AREA JUNE 10, 1946
8'
SCALE

PLATE II

from along the beach. The stones and pole were packed solidly with beach sand (Stage II, Pl. II). Then more stones and brown earth were brought from outside and incorporated into a cairn, mounded above the surface around the pole (Stage III, Pl. II).

There is nothing to show how much midden may have been dug away at the time the cairn was built. More precise dating of the crockery, broken glassware, and the like may determine whether it was filled in again over the cairn in a short time; the amount of this refuse embedded in the brown earth and the ashes associated with it indicate that the cairn was not below ground but was left exposed for some years. Fires cannot burn underground, and it would require a number of years of seasonal rains to wash down enough brown dirt from the top of the cairn to cover refuse and ashes.

Ultimately the pole disappeared from above ground; it seems to have been broken below the peak of the cairn.[15] The hole which remained was then filled with midden, either picked up at the edge of the cairn or (assuming the top fill of midden to have been laid by this time) simply scraped in from around the hole. The midden fill which hid the cairn below surface may have levelled out the area considerably; indeed, there is small reason why a fill should be made unless for levelling. The presence of streets, railroad and buildings makes it impossible to inquire into this, but it could have served either to reduce the slope toward the wharf or to even out the surface for the railroad which was built over the spot (Stage IV, Pl. II).

Over the top of the midden fill was laid the sand and gravel ballast of several railroads. The number and position of the earlier of these is not determinable from the profile, but we know there have been three sets of tracks at the least (Stage V, Pl. II). Consecutive with the latest track laying was the building of a dividing wall; the excavation for pipe lines preceded this by a few years. As to wooden remains other than this pole, we cannot surely account for the four by six inch tie. The two by six inch post set into railroad fill, however, was clearly quite recent. Our inquiries elicited the information that this archaeological treasure was the base of a "No Parking" sign erected in 1939, photographed in 1940, and broken at the ground by a carelessly driven auto a year later. This brings the cross section up to date (Stage VI and enlarged section, Pl. II).

Our conclusion, on the basis of all available evidence, is that the pole stump and rock cairn represent the remains of the flag pole shown in the William R. Hutton drawing of June, 1847, which must also be the flag pole erected in 1843 by Thomas O. Larkin. The location is precisely on the line indicated in the Hutton drawing. The stump is of appropriate diameter and is set up with sufficient care and sturdiness to serve as a flag pole. Analysis of the wood has shown it to be of Monterey pine, *Pinus radiata,* available within easy distance; the vertical shims are made from redwood planks. The stratigraphic evidence, of course, gives us only relative dates for the events pictured, but closer dating may be obtainable in terms of the years of manufacture of articles from the refuse over the cairn. When the stratigraphic evidence is viewed in conjunction with historical documents before and after 1846, the conclusion is inescapable that this pole, rather than a pole at the northwest corner or elsewhere, is the pole on which the American flag was raised by Commodore John D. Sloat in 1846.

NOTES

1. Such an approach has been used with conspicuous success a number of times in this country. Archaeological work by the National Park Service at historic Jamestown, Virginia, shortly before the war under J. C. Harrington, is perhaps best known (Clark Wissler, "How Science Deciphers Man's Past," in *Natural History*, LI [March, 1943], 130-131). In Georgia, a trading post dating around 1700 was fully excavated during government archaeological work (A. R. Kelly, "The Macon Trading Post, an Historical Foundling," in *American Antiquity*, IV, 328-333, 193). In California, however, the extensive reconstructions of missions, historic buildings, etc., have seldom been done with an eye to archaeological interests, and methods or results of such work have not come into available literature.

2. Neasham, V. A., unpublished notes on Monterey in Bancroft Library; *idem*, "The Raising of the Flag at Monterey," this QUARTERLY, this issue; records of the City of Monterey; verbal information, maps, and photographs in the possession of the Custom House State Monument, the Monterey Public Library, and private individuals. We gained much on-the-spot assistance in the details of Custom House history known to Mrs. M. L. Greene, Curator, and herewith render our thanks for her interest, cooperation, and tolerance of wind-blown black dirt.

3. Reproduced here with the courteous permission of Mr. Howard D. Severance, City Engineer of Monterey.

4. For sources and evaluation of the historic materials utilized, *vide* Neasham, *op. cit.*

5. Sherman, Major Edwin A., *The Life of the Late Rear-Admiral John Drake Sloat* (Oakland, 1902), pls. opp. 60, 80, 188; pp. 78, 177, *passim.*

6. This datum is a U. S. Coast and Geodetic Survey standard disc bench-mark numbered B 21, set in the edge of the concrete retaining wall, 8 inches east of the northwest corner of the Custom House. It lies 18.99 feet above mean tide level, 21.99 feet above mean lower low water.

7. We were fortunate at that in missing two other water pipes known to be nearby. As shown in the plan of the area, Pit A was traversed by a 6-inch pipe (its underside reaching 27 inches depth) which slanted down to join the 18-inch main running along Pit B, and by a 3-inch pipe (20 inches deep). In Pit B the top of the 18-inch main and the 2½-inch pipe were each 11 inches below the surface. The third pipe in Pit B, an old ¾-inch cast iron pipe, had the foresight to angle toward the beach after penetrating 18 inches into the pit (and into a cairn of rocks) at a depth of 10 inches. Our conclusions as to over-all disturbance are at variance with the persistently pessimistic estimates of helpful spectators; we decided that about two-thirds but not all of the upper part of Pit A was disturbed previously, since narrow pipe trenches were the rule. Hard packing of midden, we found, was no guarantee of untouched condition; some of the tightest midden in Pit B is probably an overlay (see p. 212 *infra*).

8. Harrington, John P., "Culture Element Distributions: XIX, Central California Coast," University of California Anthropological Records, VII (1942), 10 (information from San Juan Bautista, Carmel, and Soledad missions). For Costanoan ethnographic sketch, *see* Kroeber, A. L., "Handbook of the Indians of California," Bureau of American Ethnology, *Bulletin* 78, Washington, 1925, pp. 462-473.

9. A similar situation has been recorded in the Sacramento Valley, where ethnographic information also claims burial near, but not in, the village. Beneath a house floor destroyed in historic times lay twenty burials, eleven of which were infants positively interred during occupation (R. F. Heizer, "Archaeology of the Miller Site, Colusa County, California," manuscript in Museum of Anthropology, University of California).

9*a*. Aubrey Drury, *California, an Intimate Guide* (New York, 1935), illus. No. 24.

10. "Sterile" should be understood in the sense of showing no evidence of human activity or occupation by the presence of charcoal, ash or other generally diffused remains. It is to be contrasted with the term "deposit", which applies to the midden mass. Although the brown earth contains artifacts, it is definitely not deposit.

11. Gophers were apparently specially attracted to the damp, decaying wood, portions of which were unsupported by earth on account of their activities. A member of the latest generation of *varmints* continued work during our excavations until he was caught.

12. Arthur Woodward, Curator of History at the Los Angeles County Museum of History, Science and Art, kindly examined materials overlying cairn sent for his inspection at close of excavating. To him we are indebted for information within parentheses on dates of manufacture and use. Items include: small oval brooch fragment with floral carving (probably 1850-60; possibly decade earlier), jet button (may be of 1850-60 period when such buttons were common), small clear, pressed glass wine goblet with broken stem (common type made during 1870-80; usually carried on river steamers or possibly on sailing or steam ships of that period), moulded, bluish green glass ink bottle (originated and turned out in quantity from Pittsburgh glass works in 1890's), china shirt button (early 1900's to the present), white earthenware hotel-type plate marked "Royal Semi-porcelain, John Maddock and Sons" (modern, to extent that it can probably still be purchased). Maddock had large factory in Burslem, home of Wedgewood, in 1830. Urban Hartman, *Porcelain and Pottery Marks* (New York, 1942), p. 102, and fig. 41. It is possible that firm of Maddock and Son itself was established after 1843, since Maddock was in partnership with others previously, and name given in 1843 is Maddock and Seddon. Llewellyn Jewett, *The Ceramic Art of Great Britain* (London, 1883), pp. 434, 456. Necks and fragments of glass, clay pipe fragments and bit of cloth are declared either late nineteenth century or indeterminate; indications from dates set by Woodward are that materials must have collected on open surface up into 1880's or past 1890. Some items, such as china shirt button, could well have worked down from later surface. Fragment of porcelain with underglaze of blue design, found at five inches depth in Pit C, bears mention here. Like many fragments occurring in vicinity of missions, it is indubitably of Chinese origin; dating awaits expert examination.

13. Several chunks of wood remained adjacent to the pole though detached from it; but enough wood was gone to stultify any attempt to observe taper toward the top while the pole was *in situ*. Until preservative measures are complete, this will not be determined precisely. The top part of the wood was considerably more slender than the base, its slimness representing gopher gnawing and erosion of loose fragments by ground water as much as an original taper.

14. Bayard Taylor, *El Dorado, or Adventures in the Path of Empire* (New York, 1850), pl. opp. 121.

15. I suggest that it broke at the point where water-soaking ended, when the attempt was made to pull it down, instead of cracking through the encasement of stones and earth. The cairn is so tightly knit that we were forced to use picks with considerable vigor to remove portions necessary to expose the pole.

Samuel Norris: Litigious Pioneer

By Allen L. Chickering

IN the year 1910 the law firm, of which I was and am a member, was engaged to represent the heirs of a man known as Samuel Norris who died July 15, 1910, at his ranch near Waiohinu in the District of Kau on the Island of Hawaii. Although this man had gone by the name of Samuel Norris for more than sixty years, it was represented to us, correctly as it turned out, that he was born in Denmark and that his real name was Gotthilf Wilhelm Becher Christensen. There were rumors in the Islands at the time of his death that he had been a "Forty-Niner" in California, Norris claiming in a statement made a short while before he died that he had been the man who brought the news of the discovery of gold to Sacramento, and that he had had a gold watch made from the metal he carried with him on that trip. These rumors, coupled with the examination of certain papers made available by his heirs, incited me to make a study of his California experiences. Some of this study was made at the time of the distribution of his estate, and some thereafter, simply because the man interested me and I thought that possibly the results of these investigations might interest others.

As I studied the matter of representing the heirs in 1910, it appeared that it would be quite difficult to prove to any tribunal in Hawaii that a man who had gone by the name of Samuel Norris for over sixty years was really Gotthilf Wilhelm Becher Christensen. We were able, however, to obtain from his relatives in Denmark a number of letters written from California in 1850 and later, in which he used both names. These letters, now in the possession of the California Historical Society, had been preserved by the relatives to whom they were addressed or by their families. All the earlier ones were in Danish, but I had them translated through the kindness of Mr. Anton J. Meyer. Although written during pioneer times and from the centers of the excitement in those days, they do not contain much of historical value, Norris stating in one of the letters, quoted later, that his family is well enough informed about California, presumably from current European sources. It is worth noting that in a letter written by him July 25, 1868, to one of his relatives in Denmark, he used English entirely and signed himself Samuel Norris, no longer referring to his Danish name.

Gotthilf Wilhelm Becher Christensen was born in Denmark in 1822. He left home in 1838 and, so far as known to his heirs, he never returned except for a visit in 1868. He was at that time unmarried; as far as I have discovered he continued so to the time of his death. By his own testimony he came to California in 1843 from the northwest coast, to which he had previously gone from the Sandwich Islands.[1] I have been unable to find any record of his life here, other than his testimony, until the year 1847 when he appears to have belonged to the San Francisco trading firm of Shelly and Norris, with rooms in the City Hotel, on the corner of Kearny and Clay streets, opposite the Plaza.[2] In the same period he was trading at Sutter's Fort, being frequently mentioned in the *New Helvetia Diary* as going on or returning from trips.[3] Bancroft speaks of Norris having been a miner on the Yuba in 1848;[4] and that was the year of his first catalogued court appearance: "... A law suit at the Alcalde's Office for assault and battery between Gingery, Norris & Coates.—The hombres buenos consisting of Messrs. McKinstry, Kyburz & Dr Bates have decided in favor of Gingery. Norris & Coates had to pay $30 to the public fund...."[5]

On August 8, 1849, he acquired through foreclosure the Rancho del Paso, containing 44,000-odd acres, on the northern side of the American River. (The details of this transaction will be given later.) By 1851, his position in California had become sufficiently advanced for him to be mentioned in government correspondence as having supplied beef "to Indians while making five treaties," for which he was recompensed in the sum of $101,998, the letter stating that "... in negotiating the Union Treaty, Mr. S. Norris was active in doing all he could, sending out Indian couriers in all directions, and using his influence which is very considerable."[6]

On January 14, 1852, we find him writing from San Francisco to his brother in Denmark:

> I would have come home this year had I not been so unfortunate as to lose two hundred thousand dollars Spanish[7] and further I live 150 miles from San Francisco. I have not heard from you in five years. I hope this will find you all in good health. I, myself, thank the Lord, am in good health now but I have been sick. I could write a whole book of my experiences but I haven't the time. I am afraid that if you could see me you would not know me. I will soon be an old man and I feel like an old man.

A commentary on life in California, as he was only thirty at the time. This letter was signed "Samuel Norris, Esquire, Norris Rancho, Sacramento City, California," but in a postscript he wrote: "Your true brother, Gotthilf W. B. Christensen Samuel Norris."

In October of the following year (1853) he writes again from "Norris Rancho":

> My work is now my life. I am not thinking of pleasure or self-satisfaction, but where I live money can be made. My way of thinking is probably different to your way, but you will not change in that respect. It is now fourteen years that I have been here and have had to think for myself. . . . You have always been together with family and friends, but I have always lived without friends and family since I was a boy and that has made a lot of difference between us two. I will not write anything about this country that I live in because you may all be acquainted with California. Everybody here thinks about nothing but making money. It matters not how he makes it as long as he gets it. The people here in this country don't live encircled with friends. You probably know what I am doing. I am a farmer and have to work my land....

Beginning in December of that year, he became a favorite witness, either in behalf of the claimant or the government, in proceedings to establish private land claims before the Board of Land Commissioners. The frequency of his appearances before the board evidently prompted the question, put to him four and a half years later (May 12, 1858) in the Carmel Grant case, No. 106 N. D., at page 247, James G. Morehead, Claimant:

Q. Was your occupation in California of such a character as to lead you to study of the law of the Mexican Government in relation to the grants of land? *A.* It was.

Q. State what your occupation was. *A.* Being anxious to get land myself, I enquired of the old citizens, Sutter, Vallejo, Alvarado, Leese, Murphy, and others what were the regulations, or laws in regard to obtaining grants of land, and in that way, together with living amongst the people here, I acquired the knowledge I have on the subject.

From his testimony during the land grant cases, he shows that he had done a considerable amount of traveling for those days.

In the December 1853 hearing, the first in which Norris appeared before the commissioners—Petition No. 173, Catherine Sheldon, et al, *v.* The United States—he testified with reference to the Jared Sheldon rancho (Omochumne rancho on the Cosumnes) to the effect that he had seen it in the spring of 1844 and again in the winter of 1846, also in 1849, and that he owned the adjoining place. In Case No. 261 (October 1854, James M. Harbin, et al, Claimant) he testified with reference to the Hardy rancho, part of the Río de Jesús María grant on the west bank of the Sacramento River opposite the mouth of the Feather, and said that he had been there many times, the first of which was in 1844. Two years later, in March 1856, Norris was again called before the board, this time in connection with John A. Sutter's New Helvetia Grant, Case No. 319 N. D., and also in October 1861 during additional sessions in this case.

In his testimony concerning the Cañada de Capay grant (Caspar [Jasper] O'Farrell, Claimant, 382 N. D., at p. 226, May 1860), he showed an intimate knowledge of the ranch itself and the surrounding country, as evidenced by the following excerpts:

Q. Do you know the place where Cache Creek enters this Cañada from the mountains; or in other words, the head of the Cañada: if so, point it out on the copy plat of survey. *A.* I do. It is at the northwest corner of the plat, at the point of beginning.

. . .

Q. What is the character of the country at the head of the Cañada where the creek enters from the mountains; and does the valley extend in any width above the point you have designated as such head? *A.* After it comes out it forms a very handsome bottom of rich sandy soil, and then rises. This is the first part of the valley of any width.

Q. What is the character of the country above the point where the stream enters the Cañada? *A.* Rough and rugged—a miserable country. I tried to get a crop once and could not.

Q. What tract of country constitutes the Cañada de Capay: Has it any natural boundaries; if so, what are they? . . . *A.* It has natural boundaries. It is bounded by the hills on both sides of the valley. It has as well defined natural boundaries as any ranch in Cala with which I am acquainted.

. . .

Q. What is the character of the country on the southwest side of the Rancho outside the survey line? *A.* Rugged mountains—a waste, except some pine and oak trees: there was only one place passable on a horse into Napa Valley.

Q. Are you acquainted with the country and lands about this Rancho and in the County of Yolo generally? *A.* I am.

Q. How many different settlements were in the Cañada in 1847? *A.* In the valley proper only that of Mr. O'Farrell.

Q. State what you mean by the "valley proper"? *A.* I mean after you get inside the valley between the hills shown on copy plat of survey on each side of the place marked in red "TxN.2IIW." I divide it in my own mind into two parts. By running a fence across the place indicated, the valley would be divided into two parts. At this place the width would be a mile or a mile and a quarter. After you leave this point, below, the valley widens, and above this point is where I mean is the valley proper.

. . .

Q. Cropping those hills, did you observe the way in which the creek came through them; if so, state it. *A.* The creek does not run through those hills where the road goes, but to the right of where the road ran at the time I speak of, in 1847 and 1848. The creek ran through the hills probably a mile or so to the north of the road.

Q. What is the character of the banks of the creek where it goes through those hills, and what is the distance through? *A.* The banks are high at places—where it passes round the hills it is high—at other places not so high. On the south side there are several breaks in the bank. I cannot remember the distance through. I went on the top of the largest hill round which the creek flows and looked down. The water at that time ran through these [breaks] with great velocity.

. . .

Q. What is the character of the country between the mouth of the Cañada and Mr. Wolfskill's Ranch? *A.* It is made up of prairie, rolling hills and vallies [sic]. Some of the land good & some very inferior—some scattering timber.

Q. When you were in the valley in 1847 or 1848, did you hear any part of it called Rincón de Juan? *A.* I did not. I heard the creek called Jesús María.

Q. By whom did you hear it so called? *A.* It was known amongst the country people as the Jesús María.

Norris, when questioned as to the "occupation" of O'Farrell's ranch, said that in 1847 O'Farrell had a white man by the name of Jack Neal and some Indian servants on the property; that his horses were kept in the upper end of the valley. When asked to point out on the diseño where the house was, Norris answered: "The house and corral were somewhere near the place marked on the plat 'Deep arroyo' at Station 21. They were on the creek, on the south side. . . . If I remember right it was made of sticks and mud. . . . He had a fine corral, but the house was a very ordinary one, such as the settlers had to put up with at that time."

I doubt that many people could be found today who could testify with regard to this property with as much assurance as Norris.

Possibly in the Sandwich Islands before he came to California and through the intermediary good offices of John Sinclair, one-time newspaper editor of Honolulu, Norris had become acquainted with Eliab and Hiram Grimes. His connection with Sutter may also have come about through acquaintance with Sinclair, as Sutter had sent the latter back to the Islands in 1841 to look into the matter of making consignments of goods. In 1842 Sinclair, having returned to California, took possession of the Del Paso rancho as the representative of Eliab Grimes, to whom it was granted by Micheltorena two years later (December 22, 1844).[8] Grimes used it as a cattle ranch, and when he died in 1848 he was said to have had on it 16,000 to 18,000 head of rodeo cattle.[9] As mentioned earlier in this paper, Norris acquired Rancho del Paso in 1849. He appears to have sold it on March 5, 1851, to Samuel Brannan, who resold it to him some twelve weeks later. While he was the owner, Norris laid out a town on the south bank of the American River which he called "Norristown." In the *Placer Times*, published at Sacramento on April 22, 1850, Norristown is mentioned in the following connection:

> First Steamer on the American River. A company of ladies and gentlemen assembled on board the *Etna*, a new steamboat of ten horse power, on Wednesday last, and enjoyed an excursion up the Rio de los Americanos to Norristown, it being on the occasion of opening communication through this channel with the above point. . . . The *Etna* is now performing regular trips to Norristown, situated about nine miles from this city. . . .

While owner of this ranch Norris got into various legal difficulties. Without going into any great detail, I note the case of Muldrow *v.* Norris, 2 Cal. at page 74 (January Term, 1852), in which Norris appealed from an award by arbitrators charging him with $23,000 damages for breach of a lease of 200 acres including some cows. The appeal was successful, the court holding that the rule adopted by the arbitrators "was clearly illegal, and an award rendered upon such a basis was unconscionable." In the same volume of the California Reports at page 378, in Samuel Norris *v.* Samuel H. Denton, a decision on a technical point involving a suit on a promissory note was rendered by the court. In 4 Cal. at page 409, appears "Samuel Norris, Respondent, *v.* William M. Burgoyne and John W. Plume, Appellants." The facts are of no particular moment, but with the Muldrow case (excluding his altercation with Gingery), Norris seems to have embarked on his career of litigation, which continued throughout his life.

In 6 Cal. at page 590 appears the case of Norris *v.* The Farmers' and Teamsters' Company (1856). Norris had a regularly licensed bridge across the American River, which he had held since 1850, one end being in Sacramento at about the termination of Eighteenth Street. He sought an injunction against the defendants, restraining them from running a ferry within one mile of the bridge, and for damages for having so run the ferry. It appears from the opinion that Norris' bridge was known as Lisle's Bridge and had been kept as a toll bridge since 1850; that some $30,000 had been expended in its erection and about $10,000 since for repairs. The District Court granted the injunction and the Supreme Court adopted the opinion of the District Court. So far, Norris does not appear to have done so badly in the courts.

Returning to the Rancho del Paso, Samuel Norris filed his petition for confirmation of the grant with the Board of Land Commissioners April 1,

1852. The Commissioners confirmed the grant April 18, 1853, and this was confirmed by the United States District Court August 13, 1853. No further appeal having been taken, patent was issued to Norris May 4, 1858.[10]

So far, so good, but trouble was brewing for poor Norris. A man by the name of Henry Bates had been elected State Treasurer of California and Norris went on his bond. Bates absconded and the State made claim against Norris. After a great deal of discussion, the Legislature of California finally passed an Act, Statutes of 1859, page 120, Chapter CXXII, entitled:

> An Act relating to the Sureties upon the Official Bond of Henry Bates, late State Treasurer.
>
> [Became a Law by Operation of the Constitution, March 21, 1859.]
>
> The People of the State of California, represented in Senate and Assembly, do enact as follows:
>
> Section 1. The sureties upon the official bond of Henry Bates, late State Treasurer, are hereby released and discharged from all demands on the part of the State of California, for or on account of said bond, or on account of any judgment recovered against them, or any of them, upon said official bond.
>
> [This bill having remained with the Governor ten days, (Sundays excepted,) and the Senate and Assembly being in session, it has become a law this twenty-first day of March, one thousand eight hundred and fifty-nine.
>
> FERRIS FORMAN, Secretary of State.]

It will be noted from the foregoing that the Act became law without the signature of the Governor.

There are some grounds for thinking that as a result of this release, Norris became involved in a brawl with Abraham Keefer in which he (Norris) was hit on the head and seriously injured.[11] This episode was referred to by Norris under the following circumstances:

On August 21, 1884, Norris instituted a suit in the Superior Court of Sacramento County against James B. Haggin and Lloyd Tevis seeking to recover from them the Rancho del Paso. In the suit he alleged that he was a citizen of Denmark and a resident of the Sandwich Islands, and that from the 1st day of December, 1849, until the 2nd day of April, 1861, he was the owner of the Rancho del Paso. His bill in equity then went on to claim that on or about January 1, 1855, said Haggin and Tevis became his trusted agents and attorneys and confidential advisers in all business affairs, which continued until the last of December 1867. He stated further that on March 4, 1859, he was injured by a severe blow on the head, whereby his sense and faculties were impaired, his hearing was wholly gone for several months, his left eye became blind for several years, and his nervous system was seriously impaired so that he was incompetent to attend to business affairs. He then alleges that in April 1859, while in this unfortunate condition, the defendants procured from him a note for $64,000, secured by a mortgage on all of his property, and that this mortgage was foreclosed by

Mr. Tevis in 1862. The case was removed to the United States Circuit Court, where judgment was given in favor of the defendants on the ground of laches. (Norris *v.* Haggin, et als, 28 Fed. 275.) Norris then appealed to the Supreme Court of the United States, where the judgment was affirmed. (Norris *v.* Haggin, 136 U.S. 386.) No lawyer could take exception to the law as pronounced by the judges writing the opinion in these matters. There is mention, however, in the opinion of the United States Supreme Court of the fact that Norris was a resident of the Sandwich Islands, which indicates that he had moved there prior to the institution of the suit.

Although Norris frequently came to California after this case had been finally decided against him, this was his last venture in the California courts. Thereafter he transferred his attention to the courts of Hawaii.

Some of his Hawaiian cases involved a woman by the name of Emilie de Herblay. In her statement she claimed that Norris had borrowed from her the money represented by certain promissory notes on which suit was brought; he told her, she said, that he had been one of the bondsmen for the absconding State Treasurer [Henry Bates]; that Bates had been located in London, and that he had in his possession certain bonds which he had been unable to negotiate, and that he would return them to Norris for an amount much below their par value. Norris, not having any money and knowing that Mme. de Herblay had at that time just come of age and had received a large amount of money by inheritance, sought her assistance and obtained $22,000. Later he borrowed some more money to invest in cotton, and later other amounts to invest in boats to move the cotton. She also says that he told her that he had a claim against the United States Government for over $110,000[12] for supplying United States troops with beef and grain, and that he could not lose it; and, on the strength of these statements, she let him have a great deal of money. His relations with this woman provided the pretext for considerable of his litigation, some of which was finally settled only after his death July 15, 1910. She presented claims against his estate on various alleged promissory notes aggregating a large sum, which claims were settled for $5250.

His litigation experience in Hawaii started in the spring of 1890 with a case entitled G. W. C. Jones *v.* S. Norris, 8 Hawaii 71. Jones had sold Norris the "Kahuku Ranch" by warranty deed dated September 21, 1888, together with the buildings, cattle, horses and other livestock, agricultural tools and implements situate thereon. The question involved in this case was as to who should pay taxes which were a lien but not yet due at the time of the sale. In deciding in Norris' favor on May 5, 1890, the opinion recites:

> "The plaintiff continued to reside on the premises demised for some months after the sale by an amicable agreement of the parties, the defendant being absent in Honolulu or in California, and during this time the plaintiff, among other payments claimed to be made on defendant's account, paid the taxes."

Shortly thereafter four cases arose in the courts of Hawaii, all involving matters connected with Emilie de Herblay—8 Haw. at p. 335, 9 Haw. at pp. 121, 514, and 566—which resulted from a judgment Mme. de Herblay had secured in New York for $4000 with interest at six per cent per annum (confirmed by the Supreme Court of Hawaii in February 1892), followed by Norris' unsuccessful attempts to have the judgment set aside. After the adverse decision in 9 Haw. at p. 566, Norris' Kahuku ranch was advertised for sale on execution and he paid the judgment on the day of the sale. It may be added here that in 1910 Emilie de Herblay was about seventy-one, the report stating that "she looks eighty." She was four feet eleven inches; weighed one hundred pounds; her eyesight was almost gone; she was very feeble but clear in mind; and was living in a home for incurables in New York.

Hawaiian Agricultural Company *v.* Samuel Norris (12 Haw. at p. 229, in 1899) was a suit for specific performance of an alleged contract to sell the Kahuku ranch for $100,000. The claim was that the contract had been entered into by one J. O. Carter, who was Norris' agent for the sale. He had contracted on a basis of $20,000 cash, balance deferred. The Court decided in favor of Norris on the ground that the authorization to Mr. Carter must be construed as an authorization to sell for cash only. Norris, then seventy-seven, had become canny in legal matters, as the decision shows:

> Norris' intention was to utterly repudiate the whole contract. He did not undertake to analyze it or review it critically or state all his objections to it. His correspondence as a whole shows he was not one who would be likely to do that . . . in good conscience he ought to carry out the contract, but the court cannot force him to do what he has not bound himself to do whatever his reasons may be.

A companion case was J. O. Carter *v.* Samuel Norris, which never reached the Supreme Court and was discontinued as a result of the decision in the Hawaiian Agricultural Company case.

Francis M. Hatch, the attorney who represented Norris in the two last mentioned cases, sued him for his fee for services, a matter which was finally settled in his estate.

It will be remembered that Norris was seriously injured by a blow on the head on March 4, 1859. Following this, he was almost entirely deaf. In a note to a relative, dated July 25, 1868, which, as mentioned before, was written in English, he says: "I talked more when I were in your house than I have for years before for there is but fue person I care to talk with even if I could hear." Then later he says, referring to sleeping well, "which I have not done since I lost my hearing." These statements agree with the depositions taken at his ranch after his death. It was stated that it was impossible to communicate with him except by writing as he could not hear.

In the Hawaiian Islands he acquired in some way the title of "Colonel." He lived alone with a Japanese servant, an Hawaiian cowboy, and a man by the name of Charles Macomber, who was part cowboy and part carpenter.

Macomber had saved his life twice by searching for him in the forest when he was lost, and on one occasion carrying him for some distance on his back. His ranch was handled in a very slipshod fashion, the livestock running wild and often being stolen. Shortly before he died at the age of eighty-eight he sold his cattle to a man by the name of Samuel Kauhane for $30,000, of which half was cash and half in promissory notes. He gave the promissory notes to a neighbor, Walter H. Hayselden, and made a deed of the ranch to Charles Macomber. After his death the ranch was sold to Alfred W. Carter for the Parker Ranch for $90,000, and became part of this immense property of approximately 600,000 acres. The claims of his attorney and Mme. de Herblay were settled, and the balance was divided by arrangement, one-fourth to the Danish heirs of Samuel Norris, and three-fourths to Macomber.

Some years after the settlement of this matter I visited the Kahuku Ranch and saw Norris' residence. It was in the region subject to lava flow from Mauna Loa. In one flow the lava had gone on both sides of the little hill on which it was situated, leaving it as a sort of an island. While there was some pasture on his ranch, the lava situation was such as to make the land of no great value in spite of its enormous extent, said to have been 180,000 acres.

Of all the people engaged in litigation whom I have run across, except those whose business it is to litigate, I pick Norris as the leader. In addition to the cases which have been mentioned in this article, he had, of course, litigation in New York with Madame de Herblay, which resulted in the judgment which was the basis of a part of his litigation with her in Hawaii. It will be noted that he "made" the United States Supreme Court once, the Supreme Court of California four times, the District and Circuit Courts once each, the Supreme Court of Hawaii six times, and had unsettled litigation when he died. I think that I am justified in nominating him as the Champion "Pioneer" Litigant.

But for all Norris' litigious perversity and what Bancroft calls his "mild" eccentricity,[13] there is a not wholly unimportant historical significance in the life of an emigrant from a tiny kingdom like Denmark, for whom, barely seven years after his arrival on a strange frontier, a town in the key valley in the region was named, and who by the next year was furnishing beef to the United States government in the sum of over $100,000; whose treaty-making influence with hostile California Indians at the time was said by government sources to be "very considerable"; who knew enough about great stretches of the California topography to qualify as a favorite witness in the famous land grant cases; who had $43,000 in United States bonds to his credit at the banking house of J. S. Morgan & Company in London in 1883;[14] to ascertain the value of whose estate at death it was suggested that inquiry be made as to his deposits in the largest cities of Europe—Hamburg, London, Berlin, and Copenhagen; for an evaluation of whose ranch in Hawaii in 1910 an investigator had to employ the services of a pack-train, in order to cover the property adequately; and who, finally, at eighty-eight and dying, had the stamina to make exact withdrawal of his deposits in one Honolulu bank to pay an overdraft in another.[15]

NOTES

1. Norris' testimony in Case No. 106, being an appeal from the Board of Land Commissioners to ascertain and settle Private Land Claims. The *Archives* of the Society of California Pioneers, VI, 186, give the date of his birth as 1813 and the date of his arrival in California as 1846—undoubtedly in error, in view of his testimony in many cases before the Board of Land Commissioners.

2. Bancroft, *History of California* (San Francisco, 1884-90), IV, 755; V, 680.

3. For example, May 24, 1847 *(New Helvetia Diary,* San Francisco, 1939): ". . . Mr Norris arrived with a good assortment of Store Goods, and keep store at the tannyard. . . ."

May 26, 1847: "Visited Mr Norris at the tannyard, purchased some goods. . . ."

June 21, 1847: "Left for San francisco by way of Sonoma Mr McKinstry, Saml Norris & a Baquero. . . ."

August 30, 1847: "Mr Norris left for San francisco by Way of Bodega. . . ."

January 15, 1848: "Completed the Cargo of the Launch, and started her about 3 OClock in the afternoon, Passengers for San francisco Messrs McKinstry, Norris, Dr. Bates. . . ."

April 11, 1848: ". . . Sl Norris left for Sonoma."

May 21, 1848: ". . . Mr Norris left for San francisco. . . ."

4. Bancroft, *op. cit.*, IV, 755.

5. Entry for Friday, January 7, 1848, in the *New Helvetia Diary, op. cit.*

6. 33d Cong., Spec. Sess., S. Ex. Doc. 4 (1853), p. 398; and letter of O. M. Wozencraft to Hon. Luke Lea, Commissioner of Indian Affairs, printed in S. Ex. Doc. 4, *op. cit.*, p. 133.

7. In Julian Dana, *Sutter of California* (New York, 1934), p. 373, the author quotes a letter from George McKinstry, one of Sutter's aides and one of the "hombres buenos" who heard Gingery's case against Samuel Norris, to Lieut. Edward M. Kern, who commanded the garrison at Fort Sutter in 1846. The letter is dated San Diego, December 23, 1851, and refers to Samuel Norris as follows: "Sam Norris has made two or three hundred thousand, but is reputedly hard up and thought to be busted. Samuel Brannan, ditto. In fact I could fill a foolscap sheet with the names of the busted Old Guard in this community, including your humble servant."

8. Bancroft, *op. cit.*, V, 721. *See* also VI, 559-60, for discussion of term "general title," viz., " a doc. signed Dec. 22, '44, by which Gov. M. [Micheltorena] conferred on each person who had asked for lands and got a favorable report from S. [Sutter] a title to the lands solicited, a copy of this order issued and certified by S. to serve as such title."

9. William Heath Davis, *Seventy-five Years in California* (San Francisco, 1929), p. 158. Davis is misinformed in the matter of Alvarado having made the grant of Rancho del Paso to Eliab Grimes. *See* Note 8, above.

10. Thompson and West, *History of Sacramento County* (Oakland, 1880), p. 184.

11. Sacramento *Union,* March 5, 1859, p. 3, col. 1; mentioned also by Bancroft, *op. cit.*, IV, 755.

12. *See* Note 6, above.

13. Bancroft, *loc. cit.*

14. Quarterly statements, J. S. Morgan & Co., among Norris' papers, in attorneys' office files.

15. Norris' papers, *ibid.*

The San Francisco Symphony Orchestra: First Decade

By Leonora Wood Armsby

IN his *Musical Chronicle, 1917-1923,** Paul Rosenfeld recounts the story of a youth to whom, when ill and afraid of death, "a melody of Mozart's came and watched like a beloved at his bedside"; or one of Beethoven's "started the spark of eternal light in him again."

How could the minds of San Franciscans, young and old, be filled with recollections such as those Rosenfeld described? Several years before his book appeared, the founders of the Musical Association had asked themselves this question and had come to the conclusion that the answer lay in the creation of a permanent symphony orchestra. A history of the first ten years in their attempt to bring it to pass is given below. The period is post-earthquake; but long before the Association began its work, letters and diaries and newspaper accounts bear witness to an already existing predilection for music in the West, dating from the time when California was a raw frontier, not only willing but anxious to give gold in exchange for good entertainment.[1] The entertainment served to concert-goers of those days was as varied and cosmopolitan as the audience: singers, violinists, harpists, bands, orchestras, Swiss bellringers, Spanish fandangos, Italian and French and German operas. Earlier and even more cosmopolitan were the compositions performed by the native Indian pupils of the Franciscans, for they were Gregorian chants written in universal Latin.[2]

Some statistics may be cited here: the calendar of musical events in San Francisco between 1849 and 1906 requires seventeen closely spaced pages to list the separate concerts,[3] many of them of great beauty.† Nevertheless, even a superficial glance at these records shows how sporadic the attempts were to form permanent orchestras. Before the earthquake, the story was chiefly of visiting aggregations or visiting conductors, playing with any organization they could get together. With the formation of the San Francisco Musical Association, now about to commence its thirty-fifth season with the 2,324th concert, the orchestral situation in San Francisco began to assume the appearance of permanency.

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*New York, 1923, p. 11.

†Some will remember the season of symphony concerts given by Fritz Scheel at the Midwinter Fair of 1893-94, and later under the sponsorship of Mrs. Phoebe Apperson Hearst. At the time of her death in 1919, President J. D. McKee of the Musical Association recalled this, and also her interest in Henry Holmes' series in 1900, to the members attending the Annual Meeting, adding: "Since its inception she has been a consistent and generous supporter of the San Francisco Symphony Orchestra." In the resolution passed at the meeting, it was said that at times she was "the chief and at other times the sole sponsor of several endeavors to maintain a series of Symphony Concerts in San Francisco during her lifetime."

In the first place, then, the San Francisco Symphony Orchestra owes its birth to the enthusiasm for music among Californians living in San Francisco. Secondly, it had its origin during the rebuilding of the city, which had been decided on almost before the first ashes were cool. Six days after the disaster, in fact, the first contract for a large building was signed. By 1909, over 20,000 new buildings had been erected to take the place of the 28,000 burned in the fire;[4] and on December 20th of that same year, in response to a letter signed by T. B. Berry, John Rothschild, and E. S. Heller,* asking the recipient to act as one of a governing board of twenty-five for the establishment of a symphony orchestra in San Francisco, twenty-one of those so addressed presented themselves in the assembly room of the Mercantile Trust Company, 464 California Street, and organized the Musical Association of San Francisco.[5] At this meeting it was unanimously carried that the twenty-one who had accepted the invitation should form the Board of Governors of the new Association. These gentlemen were:

A. Barkan, M.D.
T. B. Berry
E. D. Beylard
Antoine Borel
W. B. Bourn
J. W. Byrne
C. H. Crocker
William H. Crocker
Frank P. Deering
Alfred Esberg
J. D. Grant
Frank W. Griffin
E. S. Heller
John D. McKee
William Mintzer
J. D. Redding
John Rothschild
Leon Sloss
Sigmund Stern
Stanley Stillman, M.D.
R. M. Tobin

The following committees were then appointed by Mr. Berry, the chairman:

Executive and Finance Committee:
Leon Sloss, *Chairman;* W. B. Bourn, J. W. Byrne, J. D. Grant, F. W. Griffin, E. S. Heller, Sigmund Stern.

Music Committee:
R. M. Tobin, *Chairman;* A. Barkan, M.D., E. C. Baylard, Alfred Esberg, J. D. Redding, John Rothschild, Stanley Stillman, M.D.

Publicity Committee:
John Rothschild, *Chairman;* C. H. Crocker, F. W. Griffin, J. D. McKee, William Mintzer.

On February 3, 1910, when the first regular meeting of the Musical Association of San Francisco was held, these candidates were formally elected, together with T. B. Berry, president; John Rothschild, secretary; and John D. McKee, treasurer; and the By-Laws, which had been recommended by the committee appointed at the first meeting, were duly adopted.

Article IV of the By-Laws defined "Founders" as those who, prior to September 1, 1910, pledged themselves to pay $100 per annum for five years;

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*Mr. Heller was one of the original directors of the California Historical Society at the time of its re-organization in 1922. [Ed.]

those enrolling after that date, but making the same pledge, were to be known as "Regular Members." Subscribers paying $1000 instead of $100 were "Patrons."* On November 6, 1912, those not already on the rolls of the Musical Association but who had subscribed $1000 or more toward the erection of a Municipal Opera House (with which fund the Association had entered into contract) were elected "Honorary Members" of the Association.

The first mention of the close connection of the Musical Association with the idea of grand opera is found in the minutes of the Special Meeting of the Association held on January 8, 1910, when a letter was read from Ettore Patrizi, General Agent of the Italian Steamship Lines in San Francisco and a sponsor of the Lombardi Opera Company, to J. D. Grant of the Musical Association's Executive and Finance Committee, in which the writer suggested that a permanent grand opera company be combined in the plan for a symphony orchestra. This suggestion resulted in a resolution being passed by the meeting, modifying somewhat the phrasing of the Association's original statement. "The purpose of this Association," the resolution declared, "shall be to foster Musical Art *in all its forms*,** and particularly to establish a Symphony Orchestra in San Francisco." The declaration of purpose in Article II of the By-Laws says that "the objects of this association shall be to foster and promote the art of music; to encourage a taste therefor, and to further the creation and production of musical compositions, vocal and instrumental; to own real property. . . ."

In the spring of 1910, the membership of the Association showed signs of keeping pace with nature, which was cheerfully sending up green grass and ferns between the piles of rubble and the still gaping walls. At the special meeting of March 7, 1910, the secretary reported that he had sent out 1200 copies of a prospectus soliciting subscriptions to the guarantee fund and that he had already received 58 signed acceptances. As 300 guarantors were the desired goal, it was suggested that those who had already signed should be requested to select twelve names from a list (to be sent them by the secretary), upon whom they were to call personally to enlist their cooperation. This plan was a success, for six months later 154 persons were enrolled.[6] By August 18, 1911, Leon Sloss of the Finance Committee reported a total of 205 guarantors, "and the Association in a position to go ahead." But the need for more members was accentuated. Additional efforts resulted in a membership of 253 on November 9, 1911; and on June 26, 1912, shortly after the close of the first concert season, 284 were on the rolls as guaranteeing $100 for five years, and 13 more persons promised the same amount for four years.

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*The first Patron Member was Gordon Blanding, who in 1916 pledged $5000 annually for five years. (*Minutes* of the Board of Governors, Musical Association of San Francisco, April 27 and May 17, 1916.)

**Italics are the present writer's.

The above figures are given to show how painstaking was the work of building up an adequate membership.

These guarantor-members and their officers supplied enthusiasm, ideas, and money. The point for the future to decide was how effective this combination, devoted solely to the interests of fine music, could be during the stress of rebuilding a city. The Board went about the matter in this way:

The office of "Governor" was to be real, in deed as well as in name. Each man on the Board occupied a responsible economic or professional position in San Francisco,* and it was understandable that Article IV of the By-Laws should declare that the government and management of the Association should "be confined" to such men. When the work of the Association increased and gave indication of being permanent, the By-Laws were amended to provide for additions to their number. "It is hoped," the spokesman of the amendment said, "that gentlemen accepting election to the Board of Governors will see their way clear to give a fair portion of their time to the work of the Association."[7] And they did: a count of the meetings of the Governors and of the committees composed of their members numbered 49 between January 1, 1910, and December 31, 1912; and 44 during the next two years.

The terms of office of the Governors were determined by lot: originally, the term of seven expired at the end of three years; the second seven at the end of four years; the remaining seven at the end of five years. When the number composing the Board was increased at various times, the ratio changed accordingly. Changes in the personnel occurred because of death, stress of personal affairs, extended absence from town, authorized increase in numbers. Additions during the first few years may be mentioned here: I. W. Hellman, Jr., A. C. Kains, and J. B. Levison became Governors in 1914; J. B. Casserly, Robert Eyre, and John Parrott in 1915. In 1916 the following were elected: Selah Chamberlain, Edgar J. De Pue, E. R. Dimond, A. B. C. Dohrmann, John Lawson, Walter S. Martin, L. F. Monteagle, Osgood Putnam, and William Sproule (who became president of the Association the same year, upon the resignation of William Bourn); and 1918 saw George T. Cameron, E. L. Hueter, and John A. McGregor elected Governors.

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*A. Barkan, oculist; T. B. Berry, of Berry & Bangs; E. D. Beylard, capitalist; Antoine Borel, of Antoine Borel & Co., and Swiss Consul; William B. Bourn, president of Spring Valley Water Co.; J. W. Byrne, capitalist; C. H. Crocker, president of H. S. Crocker & Co.; William H. Crocker, president of Crocker National Bank; Frank P. Deering, of Myrick & Deering; Alfred I. Esberg, vice-president of M. A. Gunst Co.; Joseph D. Grant, president of Murphy, Grant & Co.; Frank W. Griffin, president of Griffin Co.; E. S. Heller, of Heller, Powers & Ehrman; John D. McKee, vice-president and cashier of Mercantile Trust Co.; William Mintzer, attorney; Joseph D. Redding, attorney; John Rothschild, president of John Rothschild & Co.; Leon Sloss, president of Northern Commercial Company; Sigmund Stern, vice-president of Levi Strauss & Co.; Stanley Stillman, surgeon; Richard M. Tobin, secretary of Hibernia Savings and Loan.

A re-draft of the By-Laws so as to provide for the addition of women to the Board of Governors followed in due course after the organization of the Women's Auxiliary in May of 1917, with Miss Lena Blanding chairman, Mrs. J. A. Donahoe vice-chairman, and Mrs. M. C. Sloss second vice-chairman. The Auxiliary was composed of women members of the Musical Association and the women in the families of members, its aim being to further the "purposes of the Association."[7a] At that time they needed assistance, as the previous season had closed with a margin of $3862.05 below the budget estimate and an indebtedness to the bank of $13,500. How well the members of the Auxiliary performed their promise to secure new members may be judged from the results of a little over six months' canvassing, $50,000 being announced as pledged at their meeting of January 31, 1918. Associated with the officers in this task were Mrs. Walter Bliss, Mrs. Edith Blanding Coleman, Mrs. F. W. Griffin, Mrs. M. S. Koshland, Mrs. M. C. Porter, Mrs. William Sproule, Mrs. S. Sussman, and Mrs. Cyrus Walker. At the meeting of the Governors of the Musical Association on May 1, 1918, Miss Blanding and Mrs. W. G. Irwin were elected to represent their organization on the Board, which was to learn more and more what the initiative and enthusiasm of the Auxiliary could accomplish in the hard years that lay ahead.

The first problem to be solved by the Music Committee was the appointment of a conductor. It had taken a year and eight months—from December 20, 1909, when the Association was organized, until August 18, 1911, when the membership reached 205—to have the word given "to go ahead"; but during the interim the Music Committee had been making inquiries and was able to present the names of three possible conductors: Henry Hadley, conductor of the Seattle Symphony Orchestra between 1909 and 1911, Philip Wolfrum of Heidelberg, and Fritz Stein of Jena.[8] It was decided at this meeting of August 18, 1911, first, to give "not less than six concerts" during 1911-1912;[9] and secondly, the Music Committee was authorized to engage one of the above-named conductors at not exceeding $11,000 for the proposed season. By October 9, 1911, Chairman Tobin of the Music Committee was ready to report that Henry K. Hadley had been engaged at $10,000 for the series contemplated, and that the recruiting of an orchestra had been started by Joseph Redding in New York with the engaging of Eduard Tak as concert master at $100 per week; also, Walter Horning as first horn; and "in all probability" Mr. Redding would succeed in engaging an oboe and a bass clarinet player while in the East. A month later it was proposed that a first-class trumpet player be engaged from New York at $65 per week.[10]

As to local musicians, a committee was appointed consisting of Messrs. Tobin, Berry, Rothschild and Hadley, "to interview various hotel, café, and theater directors, in regard to obtaining permission from them to use a number of the musicians employed in these institutions."[11] The committee encountered three difficulties, described at the meeting of November 9, 1911:

(1) many of the local musicians were already engaged for the French Opera; (2) most of them had permanent employment in cafés and theaters "of the most exacting nature"; (3) the Musical Association was not in a position to offer enough compensation to persuade them to surrender their other occupations. As to musicians in the East, the committee said that it would be hard at that late date to find any who were free and who would be willing to move their homes to San Francisco for a transient period. However, thanks "to the assiduous labors of Mr. Hadley," a certain number of good men had been found. The hope was expressed that musicians would be attracted to San Francisco by the prospect of obtaining such employment as a symphony society would afford.

At first, Friday afternoon appeared to be the only time for the concerts.[12] In the evenings the men were occupied, for long hours and in bad air, at cafés and music halls, where Sunday afternoon performances were also given. Under such conditions they could hardly be expected to come to their symphony orchestra work with vigor and enthusiasm.[13] As Mr. Tobin expressed the matter toward the close of the first season: "The highest point which we can reasonably hope to reach by the next season is to place all the Orchestra under the same conditions as the first violins are at present; that is to pay them a salary with the understanding that the Orchestra may have unlimited use of their services, provided the demands made upon them would not interfere with their occupations in the evening and Sunday afternoons." The effect on morale he stated thus: ". . . We feel sure that if the plans suggested were adopted they will result in a significant improvement in the character of the Orchestra, the men would become accustomed to each other and to the Conductor, and the difficulty of having new faces appearing as substitutes would cease."[14] Three weeks later (February 28, 1912), Hadley appeared before a General Meeting of the Association and suggested that all musicians be engaged for three seasons, saying that "no conductor could show results if new musicians are put in from time to time, as there would be a certain weakness to their work, whereas the same men if working together permanently would make a better showing; also that in the end it would mean a saving of expenses to engage the men by the season." As one of their own number said some seven years later, they would then be "a Symphonic body of men."[14a]

The office of manager was settled at the October 30, 1911, meeting by the appointment of Will L. Greenbaum,[15] who was "well acquainted with the local field, and has certain facilities for managing concerts that might be lacking in the case of the other manager suggested [formerly associated with Hadley in Seattle]." Greenbaum's salary was to be $3000. His engagement, however, was short lived (reported on at the February 7, 1912, meeting), and he was replaced in May 1912 by Frank W. Healy at the same salary. This amount was raised to $3500, with a bonus of $500 if the season's expenses were kept within the budget.[15a] Mr. Healy continued in this position until March 21, 1916, when the new office of secretary-manager, with a salary of $2400, was created, to which A. W. Widenham was appointed in September of that year.[16]

The fire of 1906 had made a clean sweep of every theater in the city, including the Grand Opera House, formerly Wade's Opera House opened in 1876, with its handsomely decorated interior and seating capacity of some 3000, where Emma Eames and Caruso were singing to a packed house in "Carmen" on the night before the earthquake.[17] But places of entertainment were not long in being rebuilt, and by the time the Musical Association was under way there were three to choose from: Scottish Rite Hall, the Columbia Theater on Geary near Mason, and the Cort on Ellis between Stockton and Powell. The stage and auditorium of the first were inadequate; the Columbia was acknowledged to have "class" and general refinement, but the Cort, including twelve boxes and thirteen loges, had a seating capacity of 1827, whereas the Columbia, with only six boxes, could accommodate but 1558, leaving 269 seats in favor of the Cort.[18] The Tivoli at 70 Eddy Street was not rebuilt until 1912. The use of the Cort for the Association's first season was decided upon at the rate of $150 per concert, with provision for four morning rehearsals weekly.

The necessity for an eventual concert hall continued to be discussed. Mention was made above of the early interest of the Association in the plans for grand opera. The question of a place in which to house it was first brought up at the meeting of October 28, 1910, when, upon intimation being given that Otto Kahn, chairman of the Metropolitan Opera House in New York, who was then in San Francisco, would be willing to subscribe from $500,000 to $1,000,000 toward erection of an opera house in San Francisco, a resolution was passed as follows: "Resolved: That the Musical Association of San Francisco use its best endeavors to assist in the erection of an Opera House in this city for the production of Grand Opera." The plan took the form of a contract at the meeting of November 6, 1912 (*see* Appendix); but it is appropriate to say here that in the minutes of that meeting William H. Crocker announced that 30 boxes had been subscribed for at $15,000 each; 17 loges at $6000 each; and about 60 seats at $1000 each—a record which shows the confidence with which San Francisco's musical future was viewed, some six years after the city had been reduced to ruins.

A matter on which agreement was reached early in the affairs of the Association was the engaging of soloists, the success of symphony concerts being recognized as resting on a trio of performers—conductor, orchestra and soloist. If the designation is stretched somewhat, invisible "soloists" of considerable drawing power, namely, all-Wagner, all-Beethoven, etc., programs can be included here. In the words of the Music Committee's report to the

General Meeting, November 9, 1911: "Mr. John Parrott† who has had large experience with symphony concerts in San Francisco considers that it is impossible to induce people to come to listen to orchestral works only, and the experience of Mr. Hadley in Seattle bears out this opinion. The Committee, therefore, has arrived at the conclusion that the employment of the soloists referred to will repay the Society in more ways than one, both directly and indirectly in attracting larger audiences, in adding to the popularity of the season, and in inducing greater numbers of season subscriptions, on which subscriptions the financial success of the scheme largely depends."[19] Among the soloists under consideration, for one concert each, were the pianist Vladimir de Pachmann at a fee of $850; Efrem Zimbalist, violinist, at $650; and Clarence Whitehill, Wagnerian singer, at $1000.[20]

A few figures may be of interest as examples of the wisdom of this theory: among the soloists during the third and fourth concert seasons (1913-1915, inclusive), Schumann-Heink's artistry and popularity brought in box-office (that is, in addition to subscription tickets) receipts of $1420.50; Fritz Kreisler, $1310.50; Joseph Hoffman, $950; Tina Lerner, pianist, in a pair of concerts, netted $1405.50. The first concert in both the third and fourth seasons, the only ones in those two seasons when no soloists appeared, showed receipts of $612 and $705.75, respectively.[20a] Whether box-office receipts are an indication of musicianship can of course be answered only relatively and few would attempt it, even so. The beautiful work of such artists as Beatrice Fine, Marcella Craft, Eleonora de Cisneros, Albert Spalding, Maud Powell, Kathleen Parlow, Rudolph Ganz, Ada Clement, Adele Rosenthal, who were among the soloists during the first five years of its existence, all added to the prestige of the orchestra.

Examples of the effect of day-of-week on receipts (again, in addition to subscription tickets) are the following, taken from the *Financial Report of the Fifth Concert Season*, where the contrasting sums are clearly displayed: box-office sales for the Friday concert of Louis Persinger, formerly concertmaster* of the Philharmonic Orchestra of Berlin, were $456.75, and on Sunday, $1538.25; Ossip Gabrilowitsch, on Friday $542, on Sunday $1740.25; Maude Fay, on Friday $1223, on Sunday $2212.75; Wagnerian concert, on Friday $754.75, on Sunday $1634.75.

The foregoing pages may seem to dwell overmuch on finances;[21] but in the early days of the orchestra, until an endowment fund could be established, the out-go had to be meticulously watched. As John Rothschild, the secretary, expressed it in his report on November 5, 1912: "We must work slowly and be sure of our ground. The Music Committee and the Board of Governors must control the expenses incurred, and must manage to meet any impending deficit by means of increased sales, an increase in the number of concerts, an increase in the number of guarantors, or lastly by retrenchment if it be not too late to retrench." In other words, artistic power in an organization such as this could come only after provision had been made for an assured existence.

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†Alfred Metzger, "Symphony Concerts in San Francisco During More Than Forty Years," in *Program*, Eighth Season, 1918-19 (final concert), San Francisco Symphony Orchestra, states that John Parrott backed a symphony orchestra conducted by Louis Homeier, 1880-94.

*Persinger's engagement as concertmaster of the San Francisco Symphony Orchestra was approved at a joint meeting of the Music and Finance committees on July 19, 1915, the same meeting at which the appointment of Alfred Hertz as conductor was authorized.

At the concert of February 2, 1913, a chorus under Paul Steindorff, with a quartette of professional singers, took the place of single soloists, with what results may be inferred from the following resolutions, addressed to Mr. Steindorff by the Music Committee: "Whereas, The second season of Symphony Concerts rendered by the San Francisco Orchestra has been made of special interest by the valuable co-operation of Mr. Paul Steindorff, in the choral concert [Massenet's "Eve" and Hadley's "In Music's Praise"] given on February 2, 1913, and Whereas, Mr. Steindorff's masterly work in the bringing together and training of two hundred voices for the advancement of San Francisco's musical interests has been voluntary and without compensation, therefore be it Resolved, That the sincere thanks of the Musical Association of San Francisco be and they are hereby tendered to Mr. Paul Steindorff for his gracious and excellent achievement."[22]

As was to be expected, the European war interfered with the engaging of soloists. In this connection, the following quotation from the minutes of a joint session of the Music and Executive committees on January 12, 1915, is of interest: "The European war having made it difficult to obtain soloists, a number of artists being unable to fulfill their contracts, Dr. Stillman moved that the Manager insert a note in the next program, informing the guarantors and subscribers that such situation exists; also stating that the Association is making every effort to secure the best soloists available." Two years later the situation was altered, but in a somewhat different way: "In the event that we engage no additional soloists our present available cash, together with all expected ticket receipts, and the balance due from Guarantors, will meet all demands to March 4, 1917."[23] These were difficult times. In July of the previous year, the Board of Governors "had to underwrite the season for the benefit of the membership and the community, in expectation of obtaining the funds afterwards."[24]

So far in this paper a review has been attempted of the subjects that engaged the attention of the first officers of the Musical Association, with mention of later-date developments in most instances: statement of purpose, details of government, the membership, conductor, musicians, manager, need for concert hall (with allied plan for a municipal opera house), and the engaging of soloists. Before describing the first concert given by the Musical Association and its fate at the hands of the press, a short account will be given of the Association's tangible assets, including its musical library (and the effect of a lack of one on program make-up), the instruments, stage fixtures, and headquarters; also the uses made of publicity and advertising.

The circumstances surrounding the acquisition of a library seem to have been favored by the proximity of providence, if not its direct participation. Before starting for San Francisco in 1911, Hadley had established a credit with Schirmer & Company in New York for orchestral scores and parts not to exceed $300.[25] At the first meeting attended by the new conductor—a General Meeting held on October 30, 1911—Mr. Tobin brought up the question of purchasing the library of the Pittsburgh Symphony Orchestra, which was being offered "at a nominal price"; but the Association not being in a position to purchase, no action was taken at that time. How serious the question was can be seen from the Music Committee's report some four months later:[26] "The Committee also wishes to point out the extreme desirability of securing a musical library. The Director has been handicapped in making up his programme by the fact that he has had no musical library at his disposal; and could, therefore, play only such music as might be found in the very unsatisfactory library of the state university, or as was done in the majority of cases by depending upon the generosity of the Symphony Association of Seattle, from whom most of the pieces played were borrowed."[26a] He then said that a "rare opportunity" existed to purchase the modern library of orchestral music from the Symphony Association of Pittsburgh, which they were offering at half its estimated cost of $10,000, "and it is conjectured they might accept even a smaller offer."

While negotiations were proceeding for a purchase price of $4000, a benefit concert was given on March 22, 1912, Louisa Tetrazzini, soloist, the musicians playing gratuitously. This netted $1025.85, and at the next meeting of the Board of Governors President Berry stated that "a lady (Mrs. Sharon) [Mrs. Frederick W. Sharon] who takes great interest in the success of the Association would make up the deficiency in the Library Fund."[27] It was therefore decided to have Hadley, who had gone East after the close of the first season, visit Pittsburgh and determine the library's condition. Though unable to view it personally, he reported that he was positive the library was "perfect," and payment of the $4000 agreed upon was authorized.[28] Date of purchase is given in the Treasurer's Report for 1912-13 as May 31, 1912; and in a letter from the Board of Governors addressed "To the Founders of the San Francisco Orchestra," March 18, 1913, the music acquired was said to be able to supply "material for most of the concerts rendered, and to be given hereafter." When it arrived, it was sent to the Cort Theater where the concerts were held, and placed in a special room given free of charge.[29] The Association continued its purchases of scores* in carefully figured amounts,[30] and by the fall of 1914, other orchestras were requesting loans, to which the answer was made, on motion of Joseph Redding, "that any desired music should be cheerfully loaned, but only on written request addressed to the manager, specifying the works needed and the date when they would be returned. . . ."[31]

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*In the spring of 1935, the financial report of the Association showed a book value of $23,154.32 for music.

The arranging of programs was strongly affected in the early years by the cost of scores. At the meeting of the Music Committee on September 29, 1914, "Mr. Hadley expressed surprise at Breitkopf and Hartel's charge of $75 for the Sibelius Symphony No. 2, and stated that he had thought $20.00 would be nearer to the proper charge." The Committee decided to use the score if it could be had for about the latter figure. When the cost of "novelties" sent from New York was found to amount to $179.04, Hadley stated that the music could be sent back for credit, with the exception of the Kalinnikow Symphony No. 1 in G minor, required for the opening concert of 1914-15. The question then arose whether the guarantors cared "sufficiently for novelties, to warrant obtaining so many at large extra expense."[32] A fortnight later the question of new symphonies was again discussed, "it being decided to return the Glazounow Symphony No. 8 to the publishers."[33] This action was in line with the provisions of Article XII of the revised By-Laws (March 18, 1913) which says that "The Music Committee shall supervise all musical or artistic matters pertaining to the Association, subject to such financial limitations as may be decided by the Board of Governors. . . ." It was reaffirmed in August of 1918: resolved that the Chairman of the Executive Committee should appoint "a Music Committee whose province it shall be to represent the Executive Committee, Board of Governors, the President and Vice-President in matters pertaining to programs and that no programs shall be given without first receiving their sanction."[34]

While on the subject of programs, two commentaries on the weary temper of the times after World War I may be mentioned here. In the minutes of a special meeting of the Executive Committee on November 3, 1919, Hertz is said to have wished to give a children's concert on January 8, 1920, in the Curran Theater,* with Redfern Mason to lecture on the instruments of the orchestra between numbers. The Committee's reaction was that it would be unwise; that the program should be confined to light music of instant appeal to a child. Similarly, Hertz suggested that as in the past at the request of President Sproule, one or two "heavy numbers" be included in the program for the Members' Concert in the Palm Court of the Palace Hotel, scheduled for the evening of December 11, 1919, "to show the scope of the Orchestra"; but the Committee advised that light music be played entirely, such as might "be enjoyed without tiring the audience."

An instance of program planning designed to interest a large group of San

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*In 1919, the Cort Theater on Ellis Street was renamed the "Curran," after Homer F. Curran, resident manager for Cort whose headquarters were in New York. It lapsed in 1922, to reappear the next year in its present location on Geary near Mason.

Francisco's population, those of Irish descent, was the proposal to give in January of 1914 Sir Charles Villiars Stanford's symphony, which Hadley said was "world renowned." A large house would result, the argument ran, as Stanford had recently been knighted. However, "it was thought advisable to omit the symphony," presumably because the time of preparation was insufficient.[35]

By the end of the decade 1909-19, the list of compositions played by the orchestra constituted quite an imposing record, which was printed, together with the names of the artists appearing at the concerts, under the heading "Repertoire" and "Soloists," on pages 299-308 of the final program of the eighth season (1918-19). Unsigned annotations on the current numbers were given in the program at first, followed shortly afterwards by the appearance of "Program Notes," attributed specifically to H. E. Krehbiel, or to Felix Borowski, or William Harris Hubbard, or to Philip Hale. This item of expense was carefully supervised, the Music Committee authorizing in the spring of 1913 the expenditure of not exceeding $20 for a special program containing analytical notes and themes by Walter Anthony.[36]

Musical instruments other than the strings, and certain equipment used in connection with the work of the orchestra, were acquired at various times. For example, the buying of a Besson trumpet was authorized in November 1911 for the use of the second trumpet player.[37] At the same meeting purchase of sixty-five chairs for the orchestra was approved. In the financial report dated April 17, 1912, disbursement for "Music and Material" was given as $1092.53, the item covering chairs, platform, scenery, and other permanent property of the Association, also scores, parts and extras.[38] Upon the arrival of Alfred Hertz as conductor in the winter of 1915, the orchestra was enlarged to eighty men, making necessary additional equipment, also changes in the scenery; and a conductor's stand was ordered built to the satisfaction of Hertz—all changes not to exceed $500. The next month Hertz took up the question of lighting in a letter to the Music Committee, "stating that in order to have the stage properly lighted, it would be necessary to purchase 100 Tungsten lamps, at a cost of $32.00 to $36.00. The matter," the *Minutes* say discreetly, "was referred to the manager with authority to make proper arrangements if he deemed the lamps necessary."[39]

At the meeting of the Music Committee on August 23, 1918, some three years later, the purchase of a celesta was authorized from H. Saltz, formerly of the Orchestra. The price to be paid was $275, though originally it had cost $400; and all the men in the trumpet section were to be furnished the same makes of trumpets by the Conn Company of Elkhart, Indiana. "Music and Material" for the whole season of 1918-19 was $1201.18.

In line with attempts to improve the work of the young orchestra was a plan for better balancing of the different choirs, suggested by Hadley in October 1913. He advised bringing the first and second violins out from under the hood of the Cort Theater so that their tone-quality would "get over into the theater" and not be overpowered by the brass section. To effect this, he recommended that the platform be extended some three feet beyond the footlights, whereby a vast improvement, he thought, would be made.[40] Four months later, conductor and manager recommended that the flute players use wooden instruments instead of silver, in order to maintain normal pitch in the woodwind section.[41]

As headquarters for its small stock of business records, lists of subscribers, etc., and as a meeting place for the Governors, committees and members during the first year or so of its existence, the Association accepted the courtesy of the Mercantile Trust Company (now the American Trust Company), 464 California Street, in permitting use of their directors' room and assembly room; also of E. S. Heller for the use of his office in the Nevada Bank Building, 14 Montgomery Street, and of the Spring Valley Water Company, 375 Sutter Street, for a room (said to have been "at least 50 x 85 feet") on the seventh floor of their building;[42] but by August of 1912 and for several years to come, the Association's growth made necessary the renting of rooms on its own account in the Head Building, 209 Post Street, two being secured at $50 per month for the pair. In the light of the present-day requirements of the Association, this provision seems circumspect in the extreme.

One of the expenses to be met was the printing of symphony programs, amounting the first season (1911-12) to $590.25. However, this was covered by receipts of $605 from the advertisers, all of them banks.[43] In its own behalf, the Association spent $2388.90 on advertisements, variously placed, during the same period. It is interesting to note that during the next four seasons, 1912-16, advertising expenses averaged $2210.65 per season, the income from all sources during the same period showing an average of $61,776.75. In the following three seasons (1916-19), when the Association's total income had risen to an average of $116,572.18 per season, advertising expenses averaged $4486.36, practically double the average for 1912-16. This may seem to be putting the cart before the horse: that the proper way of expressing it should be to show the advertising figure as the cause for the rise in income. But such a deduction would be misleading, as the situation was more complex than might appear on the surface—the ability and consequent popularity of the new conductor, Alfred Hertz, and the need for satisfying entertainment while the first World War raged in Europe, were on one side; on the other, was the growing antipathy, among some, against things German, and Hertz was a native of Frankfort.

There was every need for advertising in the fall of 1912, as the Lombardi Opera Company was giving not less than 26 performances of grand opera between September 22d and October 6th, estimated to bring in a gross of

$50,000. Because of this and "other things of a musical nature that can be dignified by the term opposition," and from the further fact that as a rule business falls off in the second season of a symphony orchestra engagement, Manager Healy told the Music Committee that "we must leave no stone unturned in order to assure a great success for our season."[44] At the General Meeting of February 7, 1912, the press was said to have "more than carried out its promise to look upon the enterprise with benevolence." Indeed, it had "warmly and sympathetically commended the Orchestra, the Conductor, the Association and its projects."

In October of 1912, Healy asked for permission to reserve two seats each for the press: the *Examiner*, *Call*, *Chronicle*, *Post*, *Bulletin*, *Town Talk*, *News Letter*, *Wasp*, *Argonaut*, and *Musical America*. This publicity suggestion was agreed to, but all advertising was to be supervised by an Advertising Board, consisting of Messrs. Tobin, Rothschild, and Redding, "to keep advertising expenses down to the authorized amount, or less."[45] Advertising in the papers was to be reinforced by such publicity plans as interesting boards of education and the principals of schools and colleges in the concerts.[46] After the arrival of Hertz, more money went into advertising through expansion of the list of journals carrying the Association's announcements. *The Pacific Coast Musical Review*, whose editor was Alfred Metzger, was to be given advertisements "not to exceed $30"; also, two complimentary tickets each were to be issued to the critics of that journal as well as to critics on German, French, and Italian newspapers in San Francisco.[47] In January of 1916 advertising was approved in the *Daily News* at the rate of $5.50 per concert, and in *L'Italia* and *La Voce del Popolo* at $7.50 each per season.[48] The following sentence taken from the minutes of the Music Committee for January 25, 1916, shows that the members of that committee had grown wise in the ways of music as a business: "It was decided that if agreeable to the Cort Theatre and Will L. Greenbaum, the Association would give each a half page in the Symphony program to advertise their attractions, provided they will advertise the Symphony concerts in their respective programs." To anticipate a few years, one notes in July of 1935 recognition of the necessity of keeping the public informed, the advice being given by Joseph S. Thompson, then president of the Musical Association, that plans for the season be "announced with fanfare"; that such a method was better than "under any mediocre plan or pennywise policy."*

What of the first two conductors' first concerts? The opening concert, first season, took place on December 8, 1911, with the following program:

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*This was expressed at a Special Organization Meeting of the Board of Governors, July 22, 1935, some two months after the passage of Amendment No. 3 at the Special San Francisco Election of May 2, 1935, which provided a half-cent levy in the tax rate for the purpose of maintaining and/or assisting in maintaining a symphony orchestra. The Association's report for the previous thirteen months, ending April 30, 1935, had shown an operating deficit.

1. Richard Wagner — The Mastersingers
2. Peter Tschaikowski — Symphony No. 6, B Minor
    I. Adagio (4-4) Allegro non troppo, B Minor
    II. Allegro con Grazia (5-4), D Major
    III. Allegro Molto Vivace (12-8), G Major
    IV. Adagio Lamentoso (3-4), B Minor

Pause

3. Joseph Haydn — "Theme and Variations" from the "Emperor Quartette"
4. Franz Liszt — Symphonic Poem "Les Preludes"

On the subject of this, the first concert of the first season to be given by the Musical Association, Thomas Nunan in the San Francisco *Examiner* of Sunday, December 10, 1911, had this to say, under a headline reading, "Splendid Reality Now Is Our Symphony: Let's Support It . . . The Orchestra is now in existence—an organization superior to any we have had heretofore on the Pacific Coast. It contains promise of eventually taking rank with the best in the country.* But its permanency must be assured."

Under the same date, the San Francisco *Chronicle*, in an unsigned article, reported that "Conductor Hadley awakened genuine enthusiasm Friday afternoon. The audience did not pretend to be delighted—it really was delighted."

The second regular concert of the first season was held on Friday, January 5, 1912. On the following morning, Nunan of the *Examiner* wrote: "The first concert was not up to the highest standard. The 'popular' concert a week ago deserved all the adverse criticism that it received in this paper. But yesterday's programme [Goldmark, Sakuntala Overture; Beethoven, C Major Symphony;** and Moszkowski's Orchestral Suite No. 1], ideal and

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*Founding dates of representative symphony orchestras in the United States (from data in Margaret Grant's *American Symphony Orchestras*, New York, 1940, and elsewhere):

New York Philharmonic	1842	Philadelphia	1900
Symphony Society of New York	1878	Minneapolis	1903
(Combined in 1928)		San Francisco	1909
St. Louis	1880	Cleveland	1918
Boston	1881	Philharmonic Orchestra of Los Angeles	1919
Chicago	1891		
Cincinnati	1895		

**In his Saturday, January 6, 1912, review, Nunan complimented Hadley on his interpretation of this work and on "its early acquisition for San Francisco"; in the January 14 issue he quotes Hadley and Fritz Stein on "the lately discovered early work of Beethoven," which was said to have been discovered by Stein in the library of the Museum Concerts in Jena, where it had lain neglected for many years. The work had ambitious, was beautifully played. Do not pay too much attention to the artistic verbal 'knocking,' just yet. Give the director a chance. If he improves, as he has improved during the week, judging his improvement by the concert results, we will in the course of a season or two have one of the best orchestras in the world."

In the corresponding January 6, 1912, edition of the San Francisco *Chronicle,* that paper's critic, Harvey Wickham, wrote, under the headline, HADLEY ORCHESTRA PACKS THE CORT, ". . . Henry Hadley's conducting was thoroughly alive and his interpretations spontaneous, with plenty of elasticity in the tempi. There is nothing dry and scholastic—that is to say, dead—about his work. And he seems to have the good sense to keep his programs well within the reach of his orchestra and of his audiences,† which perhaps accounts for the excellent way they get along together. Public and players will doubtless grow more ambitious in time, but I think that thus far the best judgment has been shown by all concerned. Considering the recent date of the symphony organization, what has been accomplished is truly astonishing."

In the winter of 1915, there was a new conductor presiding over the destinies of the San Francisco Symphony Orchestra. Walter Anthony's review in the December 18, 1915, edition of the San Francisco *Chronicle* was surmounted by the headline, ALFRED HERTZ WINS TRIUMPH WITH SYMPHONY ORCHESTRA. "Yesterday," wrote Anthony, "was harvest day for the San Francisco Orchestra. . . . It was harvest day for the San Francisco Orchestra because the work of the four years preceding was gathered by a master hand and directed to planes of beauty. . . ." On the program were Beethoven's Leonora Overture No. 3, Symphony No. 2 of Brahms, Wagner's Faust Overture, and the Roman Carnival of Berlioz.

On the same occasion, Redfern Mason's review in the Saturday edition of the San Francisco *Examiner*, December 18, 1915, carried the headline, HERTZ LEADS ORCHESTRA TO SUCCESS. ". . . Yesterday afternoon," Mason said, "it opened the fifth season, an organization of the first class. . . . The instrumentalists had not played a page of 'Leonora No. 3' before the audience at the Cort Theater recognized that a new spirit had come over the

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been in print only about three months, they stated, and this was claimed to be its first performance in the United States. George Grove, *Beethoven and His Nine Symphonies* (London, 1896), p. 3, gives the publishing date as 1820. Edwin Evans (Sr.), *Beethoven's Nine Symphonies* (London, 1923), does not mention the Stein episode nor the American performances following it. *Musical America,* XV (January 27, 1912), in an unsigned review headed, "JENA" SYMPHONY BY PHILHARMONIC, describes that orchestra's playing of "the newly unearthed 'Jena' Syhpmony" on the previous Sunday. See also *International Cyclopedia of Music and Musicians,* Oscar Thompson, Editor-in-Chief (New York, 1943), p. 1794.

†Possibly unconscious condescension on the reviewer's part?

orchestra. . . . The man responsible for the change is Alfred Hertz. . . . On one previous occasion only have I seen a symphony audience in San Francisco wrought up to such a passion of enthusiasm as was manifested by the people who had gathered in the Cort Theater yesterday afternoon. That occasion was the final concert of the Boston Symphony in Festival Hall."*

"And what did my heart good was to feel that the difference between our San Franciscans and the Bostonians was no longer one of kind, but one of degree. . . . It was simply a matter of evolution."

That the re-engaging of Hadley should follow the end of his first trial year (1911-12) was held by some to be only fair. The practice of other orchestras in giving an engagement of from three to five years after a trial season was cited in the case of Oberhoffer in Minneapolis, Muck in Boston, and Stokovski in Cincinnati. Pauer and Wolfrum, approached at the time by the Music Committee, both wanted contracts for five years. It was accordingly decided to follow the practice of other orchestras and engage a conductor for not exceeding three years at $10,000 per year.[49] The choice fell on Henry Hadley. At the close of this three-year period, the opinion was expressed that while Hadley's work had been beneficial in building up an orchestra, it was advisable not to enter his name among the fifteen-twenty candidates;[50] with the result that in a letter "To the Founders and Patrons of the San Francisco Symphony Orchestra," dated July 20, 1915, the Governors announced "with great satisfaction" the securing of Alfred Hertz, conductor for thirteen years at the Metropolitan Opera House in New York, as conductor of the San Francisco Orchestra. His acquisition by the Music Committee was said to be "a notable event."

The even tenor of the concerts in the first decade of the Association was at times interrupted by episodes such as the following, considered chronologically: (1) Ladies and their Hats.—In the concert program for December 20, 1912, appears this statement: "In San Francisco local ordinances compel, by legal means, the removal of head coverings that obstruct the view in places of amusement." This was signed by the Board of Governors.[51] (2) As to persons leaving the theater before the conclusion of a concert, a more prominently displayed request, contrariwise, was ordered placed in the concert programs;[52] (3) Lights.—This question became a matter of such concern in the winter of 1915-16, between students wanting to read their scores and those presumably knowing them by heart, that slips were inserted in the programs on which patrons might express a preference. The result was 175 in favor of, and 45 opposed to, darkening; hence the Committee decided to have the theater darkened during performances;[53] (4) The National Anthem.—This point was raised in the fall of 1915 when the suggestion was made to have the Star Spangled Banner played at the first concert of the season 1915-16. Expressions for and against were mostly based on principles of musical relevance, and the stand of the Music Committee was reversed more than once during the discussions.[54] Where on the program it should come was left to Mr. Hertz by a special meeting of the Executive Committee on December 7, 1917—that is, whether at the opening of the concert, at the close of the intermission, or just before the intermission. In September of 1919, the Executive Committee formally expressed its wish to the conductor* to have the national anthem "played at every concert until further notice."[56]

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*The Boston Symphony, Dr. Karl Muck conducting, gave a series of concerts, May 14-26, 1915, at this hall within the grounds of the Panama-Pacific Exposition.

Shortly after the close of the first concert season occurred the death on May 21, 1912, of T. B. Berry, the Musical Association's first president, of whom his fellow members on the Board of Governors said "that to his personal efforts beyond those of any other officer or member" was the Association indebted for the successful results attained.[57] In the spring of 1918 another officer died in the midst of his labors for the upbuilding of the orchestra, John Parrott, vice-president and chairman of the Executive Committee. As the time set for Mr. Parrott's funeral coincided with the rehearsal period of the orchestra, Hertz, regretting that they could not attend in a body, addressed the musicians briefly, "reminding them not only of the great loss to the Association" but to the community as well.[58] William Bourn, elected to fill the vacancy caused by the death of Mr. Berry, served as president until April 1916 when he was succeeded by William Sproule for a term of three years (1916-19), during which, to quote J. B. Levison at the meeting of the Governors on March 8, 1919, he "accomplished wonders." At this same meeting, John D. McKee was elected to the office of president, beginning his term at the end of the Association's first decade.[59]

Naturally, the part to be played by the orchestra at the Panama-Pacific Exposition had aroused much speculation. J. B. Levison, in charge of music at the fair, was invited to appear before the Music Committee of the Association at its meeting on February 11, 1914; he expressed the opinion that while it would be the endeavor of the department of music to engage every competent man among the musicians, he did not think it advisable to call the exposition orchestra "The San Francisco Symphony Orchestra." For the greater part of the time, he said, "the orchestra would be subject to engagement by the various concessions. . . ." This proved to be the case. It was the Boston Symphony Orchestra under Dr. Karl Muck that elevated music to the dominant role it was able to play during May of 1915. The exposition's concert-hall was crowded daily and hundreds were turned away.

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*Alfred Hertz' own statement on the subject of his nationality showed that he was granted his nationalization papers in the spring of 1917 and that he had no further ties with Germany.[55] Considering the fact of the country's participation in the war, it was understandable, however, that on August 6, 1918, the Executive Committee should resolve "that compositions of all living German composers and of Wagner be entirely eliminated from the programs for the season of 1918-19."

At the end of the opening season (1911-12), the Association had been faced with an extremely difficult situation, because of the failure of the officers and the first manager, Will Greenbaum, to agree on the ownership of the list of guarantors, showing their seat allocations. It was necessary to start over again by sending out letters, asking the guarantor-subscribers to state the locations of their seats the previous season and their preferences for the one soon to commence. Some of the answers were confusing, the same seats being claimed by as many as four to eight persons, and much time was spent in trying to adjust wishes to facts.[60] By the spring of 1916 a logical plan was in process of being evolved, namely, to divide the membership into six classes according to the amount subscribed, beginning with Class A, those who subscribed $5000 and upward per annum, to Class F, subscribers of $100 per annum, seats being allotted on a corresponding basis.[61] It took several years for the plan to be perfected,[62] with revisions of Article III of the By-Laws, first on February 18, 1918, and again on March 8, 1919, when the number of classes was increased to ten, A-J, inclusive, beginning and ending, however, with the originally specified amounts of $5000 and $100.[63] The arrangement was not stationary. It provided for *annual* segregation, made necessary because, although during the first five years of the concerts, subscribers were allowed the privilege of retaining the same seats, this prerogative became an embarrassment to the manager, for the reason that with the increase of new members, including some making large subscriptions, it was impossible to assign them satisfactory seats.[64] The practice of limiting guarantors to four seats for each $100 subscribed applied throughout.[65]

The allied question of seating *capacity*—another form of the constantly re-arising problem of a concert hall—was placed before the Association by President William Sproule in his letter to the members dated April 24, 1917, in which he gave figures to show how an auditorium of adequate size, adapted to music, would automatically lower the cost per concert and hence reduce the urgent need for new members. He expressed confidence that "the music of this City can be put both on the basis of a permanent orchestra and an enduring organization, whenever the musical sense of the community has combined with it the commercial wisdom of the City in realizing the fact that a city cannot claim to be metropolitan which does not support and maintain continuously this highest form of music in its highest development of performance." Some thirteen years later (April 24, 1930), when the Depression was gathering weight, Robert W. Miller, in reporting to the Governors on the activity of the San Francisco Endorsement Council of the Chamber of Commerce with regard to placing the city's musical needs on a commercial and financial basis, spoke of the symphony orchestra as the "basic institution."

Mention of the close connection existing between the employer-Association and its "body of Symphonic men" occurs in a letter from the musicians written in the fall of 1914; "We, the undersigned, members of the San Francisco Symphony Orchestra, desire to express to the Board of Governors our sincere appreciation of the opportunity we have had, during the last four years, to develop the Symphony Orchestra in San Francisco."[66] And this cordiality was maintained in spite of the many times, as in that year itself,[67] when both conductor and musicians were puzzled to know whether the Association would be able to support their services from one year to the next. For example, only tentative preliminary engagements were said to be possible in the spring of 1916 between conductor, orchestra and Association, because they would be "subject to the raising of a guarantee fund for the ensuing five years,"[68] to replace that entered into in 1911-12. In the proposed special agreements with the musicians for 1917-18 and 1918-19, beyond the season of 1916-17 then about to begin, the phrase was inserted, "provided the San Francisco Symphony Orchestra continues in existence."[69] (It might be mentioned here that at the same meeting, Guilio Minetti was to be engaged as orchestral manager at $200, provided he could arrange contracts with the members of the orchestra that would be satisfactory to the Association.) Again, in March 1917, one finds the Executive Committee instructing the secretary to write to Hertz that the Association would go ahead with the next season, provided the cost of conductor and musicians was not increased.[70] Two years later the familiar story was repeated, when the same committee was considering the re-appointment of Hertz; it was said to be necessary to decide the point, in order "to keep the better element of men on the Coast, owing to the uncertainty of past seasons."[71]

On this note of anxiety for the future,[72] the first decade of the Musical Association closed, with the giving of the last concert of its eighth season on March 30, 1919. That season had no sooner begun in the fall of 1918 when the influenza epidemic broke out, necessitating closing for five weeks, cancellation of concerts in Fresno, Sacramento, and Palo Alto, likewise afflicted, and the refunding to San Francisco season-ticket holders of the amount due for three pairs of Symphony concerts and two "Pop" concerts not given.[73] In spite of this loss, it was possible for the Board of Governors to report that the ninth season could be entered "without indebtedness of any kind."[74] The secret of this happy condition, however, is found in the following words at the end of the report: "If each member of the Association will secure one new member the amount needed will be easily forthcoming without placing the burden on a few."* That the burden was heavy for the "few"

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*To anticipate a similar situation existing some sixteen years later: At the Annual Meeting of May 24, 1935, Mr. Tobin, the retiring president, after stating that the previous season of 1934-35 had had to be abandoned because of the certainty of a large deficit, modestly said: "Through the added generosity of guarantors, a sum was obtained

—the individual members of the Board of Governors and the Women's Auxiliary—and continued to be heavy until the amendment to the City Charter in 1935, is too well known to need comment here, but for the remarkable way in which the burden was carried the writer desires to add her tribute to that of the whole community.

APPENDIX

At a General Meeting of the Association held on November 6, 1912, the contract between the City and the Musical Association was submitted for consideration, the full provisions being inscribed in the minutes of that meeting. Only a few of the sentences from the preamble, setting forth the relation between the two parties, can be given here:

> Whereas, said City in the performance of its duty to provide for the public welfare, entertainment, benefit and education of its citizens and inhabitants is desirous of assisting the Association in accomplishing the purposes for which it has been incorporated; and
>
> Whereas, the City and County of San Francisco has not within its territorial boundaries an opera house or other building suitable for the production of opera and other musical and dramatic compositions, and the building of said opera house is . . . imperative and proper in order to enable said City to provide musical education . . . for its inhabitants and to enable said Association to perform some of the purposes for which it has been incorporated . . .

Because of this agreement, and the fact that numerous contracts would require the seal of the Association, it was recommended at a meeting of the Music Committee on August 20, 1912, "that a seal be adopted containing the words Musical Association of San Francisco, Incorporated February 3, 1910, and having a front elevation of the Opera House in the center of the seal."

On November 13, 1913, a meeting of the Governors was called by President Bourn to elect ten members of the Musical Association to act in conjunction with the Mayor, as a Board of Governors for the Municipal Opera House. Those selected were: William Babcock, W. B. Bourn, W. H. Crocker, Mark L. Gerstle, E. S. Heller, C. Frederick Kohl, Louis F. Monteagle, J. D. Redding, A. Schilling, and R. M. Tobin. The interest grew in spite of preoccupation with World War I, and on April 1, 1919, it was unanimously decided at a meeting of the Executive Committee of the Association to have a committee of twenty appointed, ten from the Board and ten from outside the Board, which would constitute a "Symphony Hall Committee."

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to aid in meeting the Association's obligations," thus placing it on a debt-free basis. This fact, together with confident reliance on funds to be provided by the City, made the raising of a guarantee from the membership not only less formidable for the succeeding officers, but indeed possible. In his report entitled, "The Season of Nineteen Thirty-Six," President Joseph S. Thompson spoke of Mr. Tobin's "remarkable achievement" in lifting the Musical Association out of the indebtedness which had mounted through the recent years of the Depression.

They, through Mr. Heller, were to report on a plan "in concise form within a short time."[75]

Some four months later, the August 6, 1919, minutes of this committee recorded that William H. Crocker was "convinced that the time was opportune for a collaboration of interests, offering the suggestion that the Art Association, the Symphony Orchestra, and a Grand Opera House be included in the undertaking." The St. Ignatius lot on Van Ness Avenue was thought ample to accommodate a monumental building. (It was necessary to add to this property later.) Charles T. Crocker was to sound out the Art Association of San Francisco and William H. Crocker the Board of Regents of the University of California, both being successfully persuaded, as may be seen in the September 13, 1921, minutes of a meeting of the Board of Regents, President David Barrows presiding, where the provisions of a contract between the Board, acting as Trustee of the funds subscribed and other property, and the Trustees of the San Francisco War Memorial are recited, among them the following: "The theater or auditorium to be created upon said property and sufficient space about the same for convenient access thereto may be used and occupied by the Musical Association of San Francisco (a California Corporation), which maintains the 'San Francisco Symphony Orchestra.' . . ." The conditions, on the part both of the Regents and of the Musical Association, then follow. On April 8, 1930, the Regents of the University withdrew and retired as Trustee, the Board of Trustees of the San Francisco War Memorial—"the governmental agency created by amendment to the charter of the City and County of San Francisco, adopted on November 6, 1928"—being designated as the successor trustee.[76] On November 13, 1930, the Board of Supervisors of the City and County of San Francisco accepted the offer of transfer, including "all cash, choses-in-action, and other property so assigned and transferred. . . ."[77] The Opera House, as many will recall, was opened on October 15, 1932, with the performance of "La Tosca," Claudia Muncio in the title role, Gaetano Merola conducting. At last, *finalmente*, the orchestra had a concert-hall.

NOTES

1. Carl I. Wheat ("California's Bantam Cock," this QUARTERLY, X, June 1931, 201) quotes the *Alta* of March 12, 1852, in its comment on Elisa Biscaccianti, the "American Thrush," as ". . . coming to our young and glowing shores in the full prime of fresh youth and beauty, to enchant us with an art which we so much need to throw its witching charms over the dull and plodding influence of our daily avocations." As to ability to pay, Edwin Franklin Morse says in his recollections that the famous actors and singers of the 1850's all included Grass Valley in their itineraries, and that he had "frequently seen an audience of miners so carried away by their delight at a performance that they flung five-, ten-, and even twenty-dollar pieces on the stage—a veritable golden shower. Among the celebrated singers who charmed us with their art were Mmes. Anne Bishop and Kate Hayes [the 'Swan of Erin']." See "The Story of a Gold Miner," this QUARTERLY, VI (December 1927), 338-39.

2. Works Projects Administration, *Music of the Gold Rush Era* (San Francisco, 1939), pp. 1-9.

3. Works Projects Administration, *An Anthology of Music Criticism* (San Francisco, 1942), pp. 420-37. Familiar names appear among the lists of conductors: Loder, Herold, Weil, Zech, Toepke, Homeier, Hinrichs, Theodore Thomas, Fritz Scheel, Wolle, and Steindorff; and among the orchestras, the Germania Philharmonic Society, the San Francisco Institute, the Philharmonic Society, the Orchestral Union, the Vienna Prater.

4. Rufus Steele, *The City That Is* (San Francisco, 1909), pp. 27 and 46.

5. *Minutes of a Meeting for the Organization of the "Musical Association of San Francisco,"* December 20, 1909.

6. Musical Association of San Francisco, *Minutes*, Special Meeting, October 28, 1910.

7. *Ibid.*, General Meeting, June 26, 1912.

7*a*. *Ibid.*, Executive Committee, May 2, 1917; *Minutes* of Meeting for Organization of the Women's Auxiliary of the Musical Association of San Francisco, May 7, 1917.

8. *Ibid.*, General Meeting, August 18, 1911.

9. Musical Association of San Francisco, *Financial Report of the First Concert Season*, April 17, 1912, states that six symphony concerts, five popular concerts, and two Oakland concerts were given, 1911-12.

10. Musical Association of San Francisco, *Minutes*, Music Committee, November 6, 1911.

11. *Loc. cit.*

12. *Ibid.*, General Meetings of November 9, 1911, and February 7, 1912. Saturday afternoon appeared to be likewise out of the question, Mr. Tobin of the Music Committee stating that the agreement with the first violins, and with a few others on a salary basis, stipulated that the Association had a right to their services except "that they are not to be called upon to play at night, nor on Saturday afternoons, nor ordinarily on Sunday," which would "conflict with their permanent outside occupations. . . ." However, a modification was reported at the General Meeting held on June 26, 1912, and plans were made for Sunday concerts, with encouraging results in attendance. (See page 236.)

13. *Ibid.*, February 7, 1912.

14. *Loc. cit.*

14*a*. *Ibid.*, special meeting of the Executive Committee, March 27, 1919; transcription of letter to Association from F. James Housely.

15. In his contract with the Musical Association, Greenbaum, a musical agent of several years' standing in San Francisco, agreed not to manage or give symphony concerts with any other organization during the period covered by the Association's season from December 1, 1911, to April 7, 1912; but it was not to be considered a breach of faith for him to arrange orchestral concerts, for instance in support of any visiting star who might want to employ an orchestra, provided that such concerts were not classed as symphony. (*Ibid.*, General Meeting, October 30, 1911.)

15*a*. *Ibid.*, Board of Governors, May 1, 1914.

16. *Ibid.*, Executive Committee, September 7, 1916.

17. Helen Throop Purdy, *San Francisco—As It Was, As It Is, and How to See It* (San Francisco, 1912), pp. 157-58.

18. Musical Association of San Francisco, *Minutes*, General Meeting, November 9, 1911; *ibid.*, Music Committee, August 1, 1912.

19. The suggestion was made by the manager, F. W. Healy, in August of 1912 that a small raise be made in prices for single seats when soloists such as Gadski sang; the advantage in buying season tickets would then be seen (*ibid.*, Music Committee, August 1, 1912). Gadski was to be engaged for the third concert of the second season, "she to give her services free of charge, in consideration of which the services of the Orchestra were to be given her free at a later concert at such date as may be mutually agreed upon

(*idem,* October 22, 1912). The plan did not prove to be practicable, however (*idem,* November 5, 1912).

20. *Idem,* November 6, 1911.

20*a.* Musical Association of San Francisco, *Financial Reports,* third and fourth seasons, 1913-14, 1914-15.

21. At the "Pop Concert" on November 7, 1912, the "Secret of Susanne" was given under the auspices of Andreas Dippel, the Association to share in the profits. The receipts were not as large as anticipated, although the balcony and gallery were sold out in advance. (*Minutes,* Music Committee, November 26, 1912.)

22. The *Resolutions* were dated March 11, 1913, following authorization at the meeting of February 25, 1913, where an inscribed gold match-box was voted, to accompany the formal statement of thanks.

23. *Ibid.,* Board of Governors, special meeting, February 1, 1917.

24. Letter "To the Members," April 24, 1917, signed by William Sproule, president.

25. Musical Association, *Minutes,* General Meeting, October 9, 1911.

26. *Idem,* February 7, 1912.

26*a.* As to the musical collection of the San Francisco Public Library, now one of the ten largest in the country with Miss Jessica Fredricks as librarian, in 1902 it had a small nucleus purchased with the $200 appropriated by the city at the instance of Amelia Musto Tojetti, the singer, but this was burned in the fire of 1906. Sometime later, Julius R. Weber, the well-loved piano teacher, began writing to composers and musical friends, soliciting aid for the library. His plan was furthered at the time by the gift of the collection of Rudolph Herold, former orchestra conductor, so that by 1917, when the new building in the Civic Center was dedicated and a separate department of music created, the city's catalogue of music had commenced to assume imposing size. From this brief review it will be seen that in the early days of the Musical Association, San Francisco's corporate storehouse of music had not yet reached the point where it could render assistance by lending symphonic scores to would-be borrowers.

27. *Ibid.,* Board of Governors, March 27, 1912.

28. *Ibid.,* Music Committee, May 29, 1912.

29. *Idem,* August 20, 1912.

30. *Idem,* November 23, 1915. Charges for musical scores were to be limited to $175-$200.

31. *Idem,* September 15, 1914. Directly preceding the present librarian, Mrs. Alma Haug, was her husband, the violinist Julius Haug. The first was M. Hobbs (not listed among the musicians proper); the second, G. H. Kalthoff, viola player; and in February 1912, Otto Kegel, trumpet player, commenced his long term as librarian of the orchestra, being succeeded by Mr. Haug.

32. *Idem,* September 15, 1914. Earlier, in February of that year, disapproval of too many novelties had been expressed. It was thought that they should be limited to every other concert. (*Idem,* February 24, 1914.)

33. *Idem,* September 29, 1914.

34. *Ibid.,* Executive Committee, August 6, 1918.

35. *Ibid.,* Music Committee, December 2, 1913.

36. *Idem,* February 18, 1913.

37. *Idem,* special meeting, November 6, 1911.

38. *Ibid.,* General Meeting, November 26, 1912.

39. *Ibid.,* Music Committee, November 9 and 23, 1915, and December 7, 1915.

40. *Idem,* October 21, 1913.

41. *Idem,* February 24, 1914.

42. *Idem,* August 1, 1912.

43. *See* Musical Association, *Financial Reports,* 1912-19, for this and following references to averages.

44. Musical Association, *Minutes,* Music Committee, August 1, 1912.

45. *Idem,* October 1, 1912.

46. *Idem,* Report of Secretary, John Rothschild, November 5, 1912; *idem,* special meeting, August 13, 1930, competition with the arts in the form of California sunshine and year-round golf came in for recognition in 1930, when the Depression was thinning symphony audiences.

47. *Idem,* November 9, 1915.

48. *Idem,* January 18, 1916, February 1, 1916.

49. *Ibid.,* General Meeting, February 7, 1912.

50. *Ibid.,* joint meeting of Music and Finance committees, June 23, 1915.

51. *Ibid.,* Music Committee, January 21, 1913.

52. *Idem,* November 25, 1913. *See also* complaint on this subject by Thomas Nunan, music critic, in San Francisco *Examiner,* January 6, 1912.

53. *Idem,* December 14 and 21, 1915; January 18, 1916, and February 1, 1916.

54. *Ibid.,* joint meeting of Music and Executive committees, September 8, 1915; *ibid.,* Board of Governors, September 17, 1915; *ibid.,* Music Committee, November 23 and 30, 1915; December 7 and 14, 1915.

55. *Ibid.,* Board of Governors, May 1, 1918.

56. *Ibid.,* Executive Committee, September 30, 1919.

57. *Ibid.,* Board of Governors, special meeting, May 24, 1912; Board of Governors, October 15, 1912, resolutions at death of Mr. Berry adopted.

58. *Ibid.,* Executive Committee, January 24, 1918; Board of Governors, February 18, 1918.

59. *See also* letter "To the Members of the Musical Association of San Francisco," April 21, 1919.

60. Musical Association, *Minutes,* Music Committee, October 8, 1912.

61. *Ibid.,* Annual Meeting, April 24, 1916.

62. At the meeting of the Executive Committee on October 9, 1917, one more class, Class G, was added.

63. *Ibid.,* Board of Governors, February 18, 1918; *idem,* special meeting, March 8, 1919.

64. Letter "To Members of the Musical Association of San Francisco," April 24, 1917.

65. Musical Association, *Minutes,* Executive Committee, September 7, 1916.

66. *Ibid.,* Music Committee, December 1, 1914.

67. *Ibid.,* special meeting of the Board of Governors, December 2, 1914, during which a letter was read from the Music Committee mentioning uncertainty among orchestra members whether the symphony organization would be in existence the next year; the Music Committee lacked grounds on which to assure them.

68. *Ibid.,* Executive Committee, March 28, 1916.

69. *Idem,* September 7, 1916. Another issue was the "Work or Fight" order; but the Exemption Board, Div. 1, Northern District of California, on August 10, 1918, held that "... it is the ruling of this Board that members of the San Francisco Symphony Orchestra do not come within the "Work or Fight" order . . . that they are actual performers in legitimate concerts." (*See* Musical Association, *Minutes,* Annual (adjourned) Meeting, September 6, 1918.)

70. *Ibid.,* Executive Committee, March 13, 1917.

71. *Idem,* March 5, 1919.

72. *Ibid.,* Music Committee, February 3, 1919. Although, itself, experiencing this stringency, the reputation of the Orchestra was such that the Rochester Chamber of Commerce requested suggestions for placing the symphony orchestra of that city on a per-

manent basis. The Secretary of the Musical Association was instructed to "lend every assistance possible."

73. *Idem*, January 13, 1919; *see also* President McKee's statement at special meeting of Board of Governors, May 5, 1919, in which he characterized the Annual Report, 1918-19, as "remarkable in view of the uncertainty of conditions because of the war, and the further fact of having been closed for five weeks by the authorities on account of the influenza epidemic."

74. Musical Association, "Letter to Members," April 21, 1919.

75. Musical Association, *Minutes*, special meeting of the Board of Governors, May 5, 1919.

76. University of California, Board of Regents, *Minutes* (Finance Committee), July 15, 1930.

77. *Ibid.*, November 13, 1930.

The California Recollections of Caspar T. Hopkins

(Continued)

IV.

A council of war was now held on board the *Samuel Roberts*, at which, after due deliberation, we decided not to abandon the expedition, as was suggested by some of the party, but to continue our explorations to the northward, at least as far as the Umpqua River. Our course was laid accordingly. Calms and fogs prevented our progress after reaching a point about twenty miles northwest of Cape Blanco.[20] Seeing no indentation in the Coast Range in the direction indicated by our charts as the location of the Umpqua, while a marked depression was noticeable just north of Cape Blanco, we headed in the latter direction; which, had the winds favored us, would have carried us into the famous coal regions, now known as Coos Bay[21] and made us all rich. But for two days we lay motionless. No such good luck was in store for us. About noon on the third day a black speck was seen approaching us from the northward. It proved to be a canoe, manned by four Indians from the Umpqua, who had come out to pilot us in to that river. A breeze springing up, we reached an open sea anchorage outside that dangerous bar by sundown, and early next morning Dr. Paine and I entered the canoe with the Indians to sound out the channel, if there was one. But though the weather was calm (it was August) the bar broke clear across all day, and we dared not attempt its passage. We lay there some ten hours . . . several miles from land, with our canoe loaded down to a free board of only two inches amidships. . . . Next morning a well-manned whale-boat with your humble servant as coxswain followed the canoe over the bar in safety. A breeze springing up, the schooner followed, and at six o'clock P.M. on the 6th of August 1850, we anchored in Winchester Cove, just inside the entrance to one of the most beautiful sheets of water on the Pacific Coast.

The wildest exultation now took the place of the despondency caused by our previous want of success. Our carronade and all our muskets were discharged again and again. The national flag, made by our own hands on the voyage, was mast-headed. We were heartily welcomed by a party of three Oregon pioneers, who had come down from the valley above for the purpose of meeting the United States surveying schooner *Ewing*, for which vessel they had mistaken ours; and rightly conceiving the exchange well calculated to advance their own interests as claim holders on the river, their valuable aid was henceforth at our service. One of them was Jesse Applegate,[22] a pioneer of 1843, a man of scientific education and a civil engineer, who was of great use to us in our subsequent explorations; another was a Capt. Levi Scott, of whom more hereafter.

[A day passed, during which they proceeded up the Umpqua toward the head of navigation. Then:]

The next morning brought us in due course to the foot of the rapids, where we found that the only available ground for town purposes had already been claimed by our new friend, Capt. Scott, whose name the settlement now bears.[23] In consideration of our expected services in bringing population into the valley, the captain quit-claimed 160 acres, including all the level land below the rapids, to the company; and having surveyed and mapped our acquisition, we set out to explore the valley above, as far as our time and provisions would permit. We found the river broken by rapids, and but little level land, until we reached the mouth of Elk River, sixteen miles above our new town of Scottsburg. Opposite the junction of the Elk with the Umpqua was Fort Umpqua,[24] the most southerly post of the Hudson's Bay Co. This was a stockade about 80 x 100 ft., protected by pickets twenty feet high. Within this enclosure were a number of block houses, solidly constructed, log fashion, with square timbers. All of the trade of the post had been conducted by mule trains from Vancouver, 250 miles distant, the company having apparently never known that the fort was but sixteen miles from navigable water. The trade of the fort had greatly fallen off at the period of our visit, owing partly to the destruction of game, but principally to the disappearance of the Indian hunters, who some years previously had been almost exterminated by small-pox. This fort was destroyed by fire about 1855.[25]

From this point the company separated. One party set out for Jesse Applegate's settlement up the Elk River, finding nothing of importance; the other undertook the exploration of the South Umpqua. The discoveries made by the latter party were the most promising and satisfactory of the expedition. We found ourselves in a broad and fertile valley resembling that of the Connecticut River, admitting of farms fronting on the streams in "intervale" land, running back into gently rolling hills, and terminating in heavily timbered mountains. Wood and water were abundant and the natural grasses on the plains were breast high. The river, being continually broken by rapids, was of course unnavigable, except for canoes. The Umpqua rises in the Cascade Mountains where gold has been washed out in considerable quantities. About forty miles southeast from Fort Umpqua, we found a ferry, owned and operated by two Missourians named [John] Aiken[26] and Smith, and doing all the business of the overland traffic between Oregon and California at high prices. They were willing to sell out the ferry and their two claims of 640 acres each, one on each side of the river, for $2,500. We bought them out, giving our notes at 60 days for the price, but unfortunately leaving them in possession. We named the place "Winchester" after our chief, Heman Winchester,[27] the senior partner of the five originators of the scheme, whose firm name was "Winchester, Paine & Co.," of whom more hereafter. We surveyed our 1,280 acres, mapped and sub-divided it into 7,500 lots, and after three weeks of truly enjoyable camp life, our provisions running low, we returned to our vessel and to San Francisco after an absence of sixty days. The results of our expedition were the locating of four town sites: Umpqua City, 640 acres at the mouth of the river; Scottsburg, 160 acres at the head of navigation; Elkton at the mouth of Elk River, 640 acres, and Winchester (the future county seat, until supplanted by Roseburg), 1,280 acres. Supposing our notes paid when due to Aiken and Smith, we should have had some 15,000 town lots to divide among the company or 214 lots apiece for each of our seventy shares, at a cost to the stock-holders of about 60 cents per lot! How could we fail to get rich on such a layout as that!

Yet we did fail and most lamentably.[28] Immediately on our return, we learned of the bankruptcy of Simmons, Hutchinson & Co. and the consequent loss of our $1,000, which was the entire capital of the firm. We, however, reorganized it under the same title, "Winchester, Paine & Co.," having the same five partners. The oldest of these, Heman Winchester, was then about 40 years of age, a New Yorker by birth, a stoutish, sandy-haired enthusiast, somewhat intemperate in his habits, of an extremely social turn and a tolerable hand at cards. . . . He was a brother of the journalist Jonas Winchester,[29] once a partner in the New York Tribune with Horace Greeley, and this connection gave him a prestige which his popular manners and smooth, ever ready tongue made the most of. He is still living in Lake County, in abject poverty. . . .

Dr. Horace J. Paine, the second partner in the firm, was a dentist, and a very good one. He was a small, nervous, fussy and quick tempered man, with no pretense to education, but a great talker. He kept us always in hot water with his unruly tongue, and though excessively active, was no business man at all. He afterward established a good practice as a dentist. . . .

Dr. Galen Burdell, likewise a dentist and the partner of Dr. Paine, was the third partner. He, too, was an excellent dentist, being a nephew of the famous Dr. Burdell of New York, who was murdered in the forties. He was a genial, whole souled good hearted fellow and still lives. . . .

The fourth partner, Elbridge Gerry Hall, was a quiet but speculative merchant from Connecticut and the only one of us who had any capital. He was the man who started the late millionaire, Henry M. Newhall, in business as an auctioneer.[30] Whatever became of him, I never knew.

I was the fifth partner in the firm and devoted my whole time to its interests. As my education was superior to that of all the others, I wrote all the reports and articles for the newspapers and was afterwards publicly recognized by Judge [Matthew P.] Deady of the U. S. District Court of Oregon, as the "historiographer of the Umpqua Expedition."[31]

Our partnership was only verbal, and a very loose affair, but it answered the purpose of getting us all into debt and difficulty. Our first move was to publish a report of our discoveries, written by myself, in order to make our property valuable by bringing population upon it. In this we succeeded, our office being crowded with applicants for passage on the vessel we proceeded to charter for the Umpqua voyage. Our next move was to get up a new subscription, in default of an assessment (there were no incorporation laws then) to raise the money to pay our notes for the purchase of the Aiken and Smith property. In this we succeeded also and the $2,500 was raised and delivered to Winchester, who sailed in the chartered brig *Kate Heath*, Capt. [Thomas] Wood, in company with nearly 100 emigrants and a hold full of goods. Before she could be heard from we chartered the bark *Minerva* to follow, and she also sailed with a full load. The brig *Caleb Curtis* succeeded the *Minerva*, likewise full. Our plan was to load these vessels back with piles, which were then in great demand at San Francisco for wharf building and were selling for $1.00 per running foot; and a number of the passengers per *Kate Heath* had gone up under contract to cut and load the vessels with them. The result of these voyages was as follows: the *Kate Heath* arrived all right but on the upward passages, Winchester gambled away the $2,500 entrusted to him to pay our notes; in consequence whereof we failed to acquire possession of the land from Aiken and Smith. But as the business of their ferry and value of their lands was largely increased by our efforts in colonizing the valley, they got rich at our expense. Then the master, Capt. Wood, having refused to take on board more than 6,000 feet of piles, though his capacity was 10,000 feet, lay for six weeks at Umpqua, after he was ready for sea, ostensibly waiting for a smooth bar, but in reality because he was chartered by the month and not by the trip, and so subjected us to an expense of $33 per day. . . . Meantime, the price of piles having fallen to 60 cents per foot, the proceeds of the cargo would not pay the charter money. So on her tardy arrival, we turned her over, cargo and all, to her consignees, Macondray & Co.,[32] losing the $1,000 we had borrowed from Hall to pay the first month's charter with, and also the cost of her cargo.

The *Minerva* also arrived safely at Umpqua and was duly loaded with piles, but was totally lost on leaving port, whereby we lost $900 more of Hall's money and the cost of the cargo.

The *Caleb Curtis*, also duly loaded on the return trip, was purposely wrecked by her master, to recover $20,000 insurance; the vessel being new, but being also small, was unsaleable on this coast for more than $5,000. She was built of oak and copper-fastened and so strong that she remained high and dry on the South Spit of Umpqua for over twenty years, till someone burned her for her copper.

Meantime, we had bought the old whaling bark *Rhine* of 350 tons, at underwriters' sale for $750. She had drifted on Rincon Rock in San Francisco harbor and sprung a slight leak. Phineas Hudson, shipwright, who had just fitted out the storeship *Pico* for heaving out vessels (in the absence of any facilities for docking), undertook to heave her out on one side for $200, on both sides for $300, and to stop the leak for the additional cost of labor and materials. We gave him the job. He hove her out accordingly on both sides, finding her bottom perfectly solid; and yet that night she filled half full of water, having previously leaked not more than one inch per hour. Not only so, but the first southeaster of the season burst upon her, while in that condition, in all its fury. She lay outside Rincon Point, in an exposed position to windward of the fleet of twelve hundred sail that then filled the harbor. All that night and all next day and night she dragged her single anchor right through the shipping, inflicting and receiving damage until she was herself reduced to a wreck, and her sound value ten times over would not have paid the damage she did to other vessels.

I offered an ounce apiece to any boatman who would bring off the two seamen on board, who, as the vessel was stripped, had nothing to eat, and as she was on her beam ends, had no place to sleep in. But the gale was so strong that I failed to overcome the fears of any of them. So I went myself and brought them off at the risk of my life, receiving only a hearty cursing for not doing it sooner for my pains! On the third day the harbor master took possession of the bark as a derelict, and Hudson having brought in a bill for $1,000 for his valuable services, we paid him by giving him a bill of sale of the vessel. So went $750 more!

Then we bought a lot of galvanized iron houses[33] with which to build up Umpqua City for which we gave our note for $2,500. The houses were never put up and we had no means wherewith to pay the note.

At the new election of officers held on the return of the *Samuel Roberts*, a young lawyer, Alexander G. Abell,[34] since widely known as the Grand Secretary of the Grand Lodge of the Masonic Fraternity at San Francisco, was to my surprise elected to succeed me. I had held that office gratuitously thus far, but was looking forward to the fees the secretary was to receive for making out the deeds to our 15,000 lots for my compensation for past, as well as future labors. Abell saw this golden apple hanging on the tree of expectation, and decided to gobble it himself; and being a natural politician, which I was not, he had no trouble in pulling the wires in his own favor. But he overreached himself. He went to great expense in having deeds printed, filled out, executed and acknowledged, but before he had collected a dollar of the expected fees, the curtain fell and the lights were put out.

The Act of Congress offering a square mile of land in Oregon to actual settlers expired December 1, 1850. That day had passed and we had not yet taken possession of any of our claims. Not only so, but during the autumn of that year, Congress passed a law forbidding the issue of U. S. patents for lands in Oregon to companies or non-residents whose object was speculation.[35] So having no title to convey, both grantors and grantees were found missing. Mr. Abell kept his elaborate stationery and Winchester, Paine & Co., beaten, "bursted" and burdened with debt, assigned, dissolved partnership and went their several ways. We did pioneer work for the pioneers' usual reward and within five months from the sailing of the *Samuel Roberts,* not a man of those who returned in her, was in any manner interested in the Umpqua country.

NOTE: One of the statements in the published report of our expedition gave umbrage[36] to Lieut. W. A. Bartlett, U. S. N.... The following correspondence, published at the time, explains the difficulty and laid the quarrel to rest.

"Editor of Pacific News:[37] [No date]

"My attention has been called to a publication which appeared in your journal about the 6th ult., styled a 'Report of the Expedition to the Stockholders of the Umpqua and Klamath Exploring Expedition,' and signed by Heman Winchester, C. Thomas Hopkins, and Horace J. Paine, for Winchester, Paine & Co.; in which report it is asserted that the expedition having reached the Umpqua, they met there one Levi Scott and others, and then goes on to state as follows: 'For the purpose of ascertaining the capacities of the harbor, Mr. Scott had just concluded a bargain with Capt. McArthur of the Government surveying schooner Ewing, to come down and attempt the entrance for one thousand dollars, which was exacted for that service, and he (Scott) had now come down to meet his appointment with that officer.'

"To me, Messrs. Editors, it seems certain that Messrs. Winchester, Paine & Co. cannot have realized the baseness of this slanderous publication against the character of a distinguished public officer, or they would have hesitated before they put their names to, and by so doing, have endorsed and added weight thereto.

"The truth of the matter is as far from the statement just set forth by Scott as truth is from deliberate falsehood. One Mr. Levi Scott did make his appearance at the mouth of the Columbia, while we were engaged in our survey of that river and requested of General Adair, U. S. Collector at Astoria a favorable introduction to Capt. McArthur, and as a prelude, Gen. Adair introduced him to me, when Scott at once opened his business by saying that he came down to offer inducements to us to visit the Umpqua River and would pay us a thousand dollars if we would go there.

"I told him in reply not again to mention the subject of money as an inducement; if so I would withhold any communication with him, but that we were determined to find the mouth of the Umpqua River, and that if he could go there by land and make a signal so that we should be able to recognize his presence there, we would aid him all in our power; that first we must complete our work in the Columbia, when we should examine the entire coast to San Francisco, which of course included this river.

"On mentioning the subject to Lt. Comm'g McArthur, he was equally indignant with myself, and attributed it to the ignorance of the man as to the nature of our services, and said he would not decline to receive his local knowledge in consequence of the blunder he had made.

"I was afterwards present at the interview between Capt. McArthur and this Levi Scott in which he (Scott) alluded to his willingness to pay a thousand dollars; when Capt. McArthur told him we did not want his money—that he was determined to examine the Umpqua entrance whether Scott was there or not—but that if said Scott should be there, he (Capt. McArthur) would take pleasure in showing him where buoys should be placed to make the bar and river accessible to commerce (if it should prove to be so), and that then it was probable that Mr. Scott could expend one thousand dollars judiciously in placing the buoys—and then proceeded to show said Scott the plans and estimates for the buoys, anchors and chains, for the Columbia River, which we were having prepared under the Government appropriation; but that inasmuch as there was no appropriation applicable to the Umpqua, it would be best that the individuals interested on that river should not wait for the action of the Government, but do it themselves. We reached the Umpqua in August, and Capt. McArthur passed in and out, over the bar, without seeing anything of Mr. Scott, who, it appears by this statement, had met the explorers and gone up the river with them.

"The hydrographical party of the Coast Survey have had difficulties of no ordinary character to surmount in their operations on this coast and Oregon for the past year, and yet all that the Government expected has been accomplished, and much more, as our reports and work will show.

"Although to some it may seem a small matter—the officers of the expedition will not submit that the character of their Chief shall be slandered by any man or set of men; hence you are desired to publish this refutation of the base assertions of this Scott, and now so widely endorsed by Messrs. Winchester, Paine & Co.

"Respectfully yours,
"Wash'n A. Bartlett.
"Lieut. U. S. Navy, Ass't U. S. Coast Survey."

THE REPLY.

"Editors of the Pacific News: [No date]

"We have observed in your paper of yesterday an article over the signature of Lieut. Bartlett, of the surveying schooner Ewing, in which the writer styles the version of the transaction between Capt. McArthur and Levi Scott, as given in our report of the 6th, ult. 'a base and slanderous publication against the character of a distinguished public officer.' A few words in explanation may not be amiss.

"When we arrived at the mouth of the Umpqua, in the Samuel Roberts, we met there this Levi Scott, who had come down to meet the Ewing, by appointment made in the Columbia River. He mistook our schooner for the Ewing, and as the latter vessel was not punctual to the day named, and as Capt. Scott saw that the object of his visit was more likely to be attained by accompanying us than by waiting for the Ewing, he took passage with us by the river. There is no doubt, whatever may have been the intended understanding on the part of Capt. McArthur, that Mr. Scott expected to pay $1,000 to the officers of the Ewing. Whether this was services to be performed in the river itself, over and above the duties, enjoined by the instructions to Capt. McArthur, or for the survey of the harbor merely, he may not have understood, ignorant as he undoubtedly was, both of the instructions to the Ewing and of the nature of naval service generally. Lieut. Bartlett acknowledges that Capt. McArthur told Scott 'that inasmuch as there was no appropriation provided by government for surveying the Umpqua, it would be best for the individuals interested on that river not to wait the action of the Government but to do it themselves,' - - 'that he (Capt. McArthur) would show him where buoys should be placed to make the bar and river accessible to commerce,' and that 'he could probably expend a thousand dollars judiciously.' Now it seems to us very probable that Scott, with his limited knowledge of marine and naval affairs, and in the absence of anyone else competent to do the work, understood that Capt. McArthur was to place these buoys and perform the survey and that the money was to be paid him for so doing; especially (and he alluded expressly to what Capt. McArthur had told him) because government had provided no funds for that object. That the money was to be paid somehow in connection with the Ewing's entrance and survey of the river, was certainly expected by Mr. Scott, for we learned incidentally from a disinterested party, that he had borrowed $700 of an individual in the valley for this express purpose. And we would much prefer to believe that a Missourian, totally unacquainted with the nature of such business, had misunderstood the officers of the Ewing, than to condemn as a 'deliberate liar' an old man who certainly appeared to enjoy the reputation of honesty and integrity, and could certainly have no possible motive to malign the characters of the very men on whose co-operation he had belief in carrying out his favorite project.

"Be this as it may, however, we do not wish to be considered as a party to the transaction. We recorded the statement just as we received it from Mr. Scott and his neighbors, with whom it lays to prove it, and had not the report been general through the valley and corroborated through incidental testimony, we certainly should not have noticed it. We probably would have been more cautious had we been better acquainted with the gentleman referred to, and had not a long residence in California convinced us that 'clean hands and a pure heart' are not always the distinguishing attributes of our public officers. We regret, however, that a circumstance so trifling in itself, and to which we are neutral, should have placed us in even apparent opposition to the officers of the Ewing. They have placed us in common with all others interested with the coasting trade, under lasting obligation by their late discoveries and observations.

"Winchester, Paine & Co."

(To be continued)

NOTES

20. *Cabo Blanco* was first shown on Peter Plancius' map of 1592, not in the latitude of 44°, but four distinct ones in 30°, 34°, 40°, and 55°. Henry R. Wagner, *Spanish Voyages to the Northwest Coast of America*, San Francisco, California Historical Society, 1929, p. 179.

21. Coos Bay was formerly called Cowan Bay, from the Cowan River which empties into it. Bancroft, *op. cit.*, II, 195-96; *see* also Lewis A. McArthur, *op. cit.*, p. 129, for variations in the spelling of the word, *etc.* The first vessel to enter Coos Bay is said to have been the *Nassau,* in 1851. The first coal discoveries in this area were made in 1853 near Empire City; and May of that year saw the formation of the Coos Bay Company, to secure town sites, coal mines, *etc.*, the first coal being shipped out in April, two years later. Bancroft, *op. cit.*, II, 202, 331-33, 743. Mann. *op. cit.*, p. 9, said that the coal in his mine in that area was called lignite; that the Seattle coal was lignite or brown coal—a superior kind, and that it had all the qualities of coal and made good fuel.

22. Scholfield, *op. cit.*, p. 355, speaks of three Oregonians from the Elk settlement, who had come down the river in canoes to see whether or not a harbor existed at the mouth, as having met the Umpqua expedition—"Capt. Scott, Mr. Butler, and Mr. Sloane [probably Sloan]," making no mention of Jesse Applegate. Scholfield goes on to say that Scott and Sloane had each taken up donation claims. Hopkins in this passage likewise speaks of "three Oregon pioneers," but mentions only two, Applegate and Scott; and Gibbs, *op. cit.*, p. 4, says that Jesse Applegate, Joseph Sloan [*sic*], and Levi Scott met them. In Hopkins' article in the *Pioneer,* II, p. 89, he says that under Applegate's advice the remainder of the exploration was in great measure conducted.

23. According to Matthew P. Deady, "Oregon History and Progress" (manuscript in Bancroft Library), pp. 24-25, there was tidewater and good navigation on the Umpqua for 30 miles. Singularly enough, said Deady, when Hopkins' expedition arrived "at the head of tide water, they met an old western man, Capt. Levi Scott, who had been in this valley for several years, and had taken it into his head that he would follow the Umpqua river valley down to its outlet." Scott had reached tidewater and had concluded that he would locate a town there—which he did, calling it Scottsburg. Hopkins' party located a town right below Scott, Deady said, and called it Lower Scottsburg. McArthur, *op. cit.*, p. 460, says that Scottsburg was separated from Lower Scottsburg, the port of entry, by about a mile of river. The flood of 1861 is said to have obliterated Lower Scottsburg (*loc. cit.*). As to the importance of the site, R. A. Booth, "History of Umpqua Academy" (*Oregon Historical Quarterly,* XIX, March 1918, 23-25), says that Scottsburg was the jobbing-center for a large area, covering all southern Oregon and reaching into northern California. After the construction of the wagon road, an immense freight business was carried on by teams. Schooners, many of them built on the river, brought freight to Scottsburg from San Francisco and other points. Allan, McKinlay, and McTavish of the Hudson's Bay Company opened a trading-house there; likewise Applegate, but he is said to have practiced too generous methods of merchandising and lost $30,000, whereupon he "quit the business" (Bancroft, *op. cit.*, II, 183, note 14). In his article in the *Pioneer,* II, 89, on the activities of the expedition, Hopkins describes the location of towns, saying that the second was at Scottsburg, where a few dozen lots were all that the spot allowed room for, and that at the time he was writing (1854) it was "the center of a thriving trade. It is in fact the best distributing point in Southern Oregon."

24. In June 1834 John Work had intended going to "umpqua old fort" to see the natives' beaver, but was deterred, owing to the illness of a child in his party. Leslie M. Scott, "John Work's Journal From Fort Vancouver to Umpqua River, and Return in 1834," *Oregon Historical Quarterly*, XXIV (September 1923), 254. The old fort is supposed to have been established in 1832 by the Hudson's Bay Company, probably by Chief Trader John McLeod and Michael Laframboise (Scott, *op. cit.*, p. 257), near the confluence of Calapooya Creek and the Umpqua River. Work camped near the present site of Elkton but mentions no fort there, although one was supposed to have been established in 1834. Jason Lee, Elijah White and Gustavus Hines, Methodist missionaries, visited the fort, then at Elk Creek and the Umpqua, in 1840 (Bancroft, *op. cit.*, I, 194-95). The question, then, is: When Work used the term "umpqua old fort" in 1834, was the "new" one already established (at some place *other than* near the junction of Elk Creek with the Umpqua), the site of which has been lost? Or did he know in advance of a projected new fort, not yet established in 1834?

In 1840, when visited by Jason Lee, White and Hines, about 80 acres were enclosed by the stockade, but very little improvement of any kind had ever been made, "the farming being confined to cultivating a few vegetables and raising cattle." (Bancroft, *op. cit.*, I, 194-95, note 13.) In the *Pioneer*, II, 88, version, Hopkins elaborates on the condition of the grounds about the fort, saying that "fine crops of wheat and potatoes argued well for the natural fertility of the soil." And he felt certain that when the rise in the property value of the site, occasioned by the coming of settlers under the auspices of the Umpqua expedition, had taken place, Mr. Gagnier, the agent, would feel that his hospitality had been well rewarded. His (Hopkins') statement that the Hudson's Bay Company appeared to be ignorant that Fort Umpqua was within sixteen miles of navigable water may be in error, as Gibbs (*op. cit.*, p. 3) says that the *Samuel Roberts* was preceded in ascending the river by "a little trading vessel belonging to the Hudson's Bay Company which is said to have entered the river eleven years before. . . ." Wherever the other fort was in 1834, at the time of Work's visit, the agent, Jean Baptiste Gagnier (with the many variations his name underwent: Garnier, Gagnion, Gagmon, Goniea, as given by Scott, *op. cit.*, pp. 245-46; and Gangriere, as given by Wilkes, *op. cit.*, V, 225), continued to serve to the time of Hopkins' visit, at least. (*See* McArthur, *op. cit.*, p. 210, for the United States military fort of this name, Fort Umpqua, established July 28, 1856, on an entirely different site.)

25. Bancroft, *op. cit.*, II, 111-12, says: "The land at Fort Umpqua was let in 1853 to W. W. Chapman, who purchased the cattle belonging to it, which travellers were in the habit of shooting as game while they belonged to the company. The stockade and buildings were burned in 1851. The land was finally taken as a donation claim."

26. This ferry was operating on the north branch or fork of the Umpqua at the crossing of the Oregon-California road (Scholfield, *op. cit.*, p. 356). In his account written for the *Pioneer*, II, 89, Hopkins called it "the natural center of the valley"—a phrase copied by Bancroft, *op. cit.*, II, 180. Addison C. Flint, "Oregon Sketches" (manuscript in Bancroft Library), p. 3, speaks of the importance of this ferry in the choosing of the site of Winchester. He adds that five miles down the river from Winchester was another ferry, belonging to Tom Brown.

27. Flint (*see* Note 26, above) came to California in 1849 from Chile. He surveyed South San Francisco in the fall of that year, and the next spring repeated the process for Goat Island, making maps of both surveys. In the autumn of 1850 he went to Oregon for the express purpose of laying out a town on John Aiken's former claim, for "Winchester and Hopkins who had the survey made and called the town Winchester." He speaks of the richness of the valley in which it lay; for several years, in fact, Winchester was the largest settlement in the Umpqua Valley, remaining the county seat until its transfer in 1854 to Roseburg, which was also laid out by Flint for Aaron Rose (McArthur, *op. cit.*,

p. 560). Flint surveyed all the donation claims in the Umpqua Valley (Flint, *op. cit.*).

As for Hemen Winchester, himself, accounts differ. Bancroft (*op. cit.*, II, 181, note 12) says that he was "a favorite with the bar of the Second Judicial district . . . 'and absolutely incorruptible.' " Also, that he remained in Oregon, residing at Scottsburg, then at Roseburg and Empire City. Deady, on the other hand, says (*op. cit.*, pp. 24-25): "There was a man named Winchester that belonged to the party, but who never came up."

28. When writing in the *Pioneer* in 1854, with less retrospect to temper his enthusiasm, Hopkins said (II, 89): "From our examinations and surveys we were enabled to make a statement of the natural resources of the Umpqua Valley, such as had never been expected by the public. We found rich bottoms, abundant timber and valuable water-power. We found gold and coal; quarries of sandstone and inexhaustible fisheries. We found a good harbor and the only practicable water-course through the Coast Range, from Astoria to San Francisco. We opened to our fellow-citizens an opportunity to make their fortunes by all these means, and by many have these opportunities been improved. . . ." This is paraphrased by Bancroft (*op. cit.*, II, 182-83), in summing up the achievements of the expedition. The anonymous writer in *The Leisure Hour* (*op. cit.*, p. 77) states that when his party left, presumably in the fall of 1851, "emigrants were rapidly arriving and taking up claims on the river, and there were no less than four vessels in the harbour loading with piles. . . ."

29. For an account of Jonas Winchester's newspaper affiliations in San Francisco, *see* Note 37, below. McArthur (*op. cit.*, p. 560) calls him "John." Bancroft (*op. cit.*, II, p. 176, note 5) does not commit himself in the matter of the first name, calling him simply Heman Winchester's "brother." *A History of California Newspapers*, ed. by Douglas C. McMurtrie (New York, 1927), pp. 77-78, calls him "Jonas or 'General' Winchester," and says that he had been well known as a publisher some years ago, in Ann Street, New York.

30. Newhall & Co., auctioneers and commission merchants, were located at 108 Sansome Street, according to the San Francisco *Directory* of 1852. Soulé *et al* (*op. cit.*, pp. 302-303) explain that there was a "sudden extraordinary increase of auctioneering business" in 1850, owing to the increased shipment of goods into the area (based on the expectation of a continuance of the boom of 1849) and a consequent glut of merchandise, followed by a stampede among commission merchants to sell, in order to realize their advances.

31. Bancroft (*op. cit.*, II, 179, note 8) uses the term "historian" in relation to Hopkins, possibly quoting Deady. The latter was a native of Maryland (1824). He came to Oregon in 1849, was school teacher, lawyer, legislator, district judge, preparer of Oregon's civil and criminal codes, compiler of the laws of Oregon, and an organizer of the University of Oregon. In addition to all this, he was a correspondent of the San Francisco *Bulletin* during the sixties (whence the collection known as the "Deady Scrapbook"). Deady was in the Umpqua country from 1853, when he was appointed one of the judges of the Supreme Court, until 1860 (*see* his "Oregon History and Progress," *op. cit.*, p. 27). Sidney Teiser, "A Pioneer Judge of Oregon," *Oregon Historical Quarterly*, XLIV (March 1943), 75, states that Deady acquired a claim under the Donation Act, "near the village of Winchester," after paying a squatter to abandon his hold on it. There seems to have been an *al fresco* element in his tenure of the judgeship, R. A. Booth ("History of Umpqua Academy," *Oregon Historical Quarterly*, XIX, March 1918, pp. 23-25) saying that it was "at Scottsburg that Matthew P. Deady, later . . . so honored throughout the northwest, early practiced law and held court under the oaks that stood near the Umpqua River. . . ." Deady, *op. cit.*, p. 56, says Father Wilbur, Methodist, was the presiding elder at that time and built the Umpqua Academy with his (Deady's) help.

32. Colville's *Directory*, *op. cit.*, p. 136, states that this firm of commission merchants

was established in August 1849 by F. W. and William A. Macondray, on Sansome Street near Pine. (The name is misspelled "Macondry," in Kimball's 1850 *Directory*.)

33. Gibbs, *op. cit.*, p. 6, says that they were "zinc houses" made in Boston, this metallic designation being followed by Bancroft, *op. cit.*, II, 180-81, who states that they were part of the cargo of the *Kate Heath* and were put up on the site of Umpqua City, differing from Hopkins on this last point. Gibbs says the *Kate Heath*, Capt. Thomas Wood, left San Francisco early in October 1850 with 75 passengers, saw-mill machinery and merchandise and arrived at Umpqua City October 21, the same year. (Iron for houses was not unfamiliar in San Francisco. An item in the *Evening Picayune* for August 8, 1850, gives the address of J. P. Cannon, auctioneers, as "the Iron House," next to the Custom House.)

34. Alexander Gurdon Abell arrived in California in November 1847, having previously been United States consul in Hawaii, an appointee of President Tyler. He served four consecutive terms (1857–60) as president of the California Society of Pioneers, and was thirty-six times grand secretary of the Grand Lodge of California. From 1872 to 1879 he was commissioner of immigration. Edwin A. Sherman, "The Founders and Builders of Masonry in California," pp. 29-31, in *Fifty Years of Masonry in California* (San Francisco, 1898). Bancroft (*op. cit.*, II, 176, note 5) calls him "A. G. Able."

35. These were provisions of the same Act, passed September 27, 1850. *See* Note 11, above; also Deady, *op. cit.*, pp. 30-32. Bancroft, *op. cit.*, II, 181, is a virtual restatement of Hopkins' account of his company's failure.

36. Washington A. Bartlett had been incensed before, in the spring of 1850, when Samuel R. Thurston, first representative of Oregon in Congress, wrote a letter to a newspaper in which he complained of the neglect of duty on the part of the surveying schooner *Ewing* in not proceeding with the survey of the coast, its bays and river entrances. Bartlett replied by reproving the Oregonians for not sustaining the pilot service at the mouth of the Columbia, which Capt. White had attemped in the *Hagstaff*. Bancroft, *op. cit.*, II, 190-91, note 36.

37. The office of the *Pacific News* was on "Kearney [*sic*] street, between Jackson and Pacific," as announced on its first page. The paper, a tri-weekly until March 4, 1850, when it became a daily, was published initially by Messrs. Faulkner & Leland, and made its first appearance on August 25, 1849 (Soulé *et al*, *op. cit.*, p. 234, give the date as August 27, 1849). According to Henry R. Wagner, *California Imprints* (Berkeley, 1922), pp. 18-19, R. T. P. Allen bought out Warren Leland's interest on January 3, 1850, the publishers' names appearing as Faulkner & Allen. [With this change in ownership, the spelling of "Kearney" was corrected to Kearny.] Heman Winchester's brother, Jonas, former partner of Horace Greeley in New York, as Hopkins noted earlier in his recollections, was also once part-owner with Faulkner (*see* the April 26, 1850, edition, Vol. 1, No. 129). On May 23, 1850, J. Winchester & R. N. Allen appear as publishers; and when resumption of the paper is undertaken after the fire of September 17, 1850, the names have again changed, this time to Winchester, Skillman & Co., with a new office address, Montgomery Street, between Washington and Jackson, over Payne & Sherwood's. The paper is known to have ceased publication in 1851, although the date of the last issue is uncertain. *See* George L. Harding, "The Pacific News, A Forgotten Episode in California Journalism," in *Colophon*, February 1931; *A History of California Newspapers*, *op. cit.*, pp. 77-78.

Principal Actions of the California Junta De Fomento, 1825-1827

Translated by Keld J. Reynolds

(Continued)

[VI.] INITIATIVE PLAN OF GOVERNMENT

Proposed by the Junta
for the Better Administration of the Government
of the Territories of the Californias

Most Excellent Sir:

As president of the California junta, I have the honor to place in your hands this general initiative plan of government which in its opinion should be proposed to the supreme Congress for the purpose of promoting the well-being of those most attractive territories. With this initiative measure goes a memorandum called "Subdivision of the Territories of Upper and Lower California," as the last act and the final decision of the junta, completed on May 19 of the current year.

In all these laborious works, the results of patriotic love, Your Excellency will find many defects which your kindness will overlook. The junta believes it has completed its task and only awaits the superior order from Your Excellency to be dissolved; but the individual members will always be ready to serve their country in any manner or form which Your Excellency may think good.

The justice which has always animated the decisions of the junta obliges it to recommend to Your Excellency the distinguished merit which has bound the honorary intendent, Don Francisco de Paula Tamariz, to the cause of California's felicity. His insight and instructions have been the very soul of the work of the junta, his zeal has not declined during a long period of more than twenty years. On the contrary, from day to day it has greatly increased, and his scrupulous devotion to that land has made him invaluable. Yet at the moment when the law of May 10 of this year was published he was separated from the junta and from the project of which he was the author, and for which he had overcome so many difficulties.[114] The junta hopes Your Excellency will take his merit into account in order to reward him to the full extent permitted by the laws.

God and liberty. Mexico, August 31, 1827.
Juan Francisco Azcárate.
The Most Excellent President
of the United Mexican States.

INITIATIVE OF THE LEGAL CODE

Proposed by the President of the United States of Mexico for the better government of the federal territory of the Californias.

To the President of the united states which form the federal Mexican republic, as the representative of the executive power of the federation, belongs the government of the federal territory of Mexico, but since he is unable to carry this responsibility alone, he will appoint a governor to whom he will delegate his powers, reserving for himself the following responsibilities:

1. To appoint the governor and his lieutenants.
2. To enforce, and see that the governor enforces, the laws made for the territory and the general laws of the federation.
3. To expedite the appointment of the civil servants proposed by the governor from the list previously presented by the Council of Government.
4. To appoint the justices of the peace for both Californias, selecting names from the report of the Supreme Tribunal of Justice of the territory, acting in the capacity of district *Audiencia.*
5. To dictate the orders for the payment of revenue from the products of the territory, to be paid by the profit-making establishments at the request of the governor and with the approval of the Council of Government, and according to the decision of the chamber of senators acting as the Congress for the territory.
6. To propose to the chamber in the same capacity the legal reforms which the governor thinks will be conducive to the general welfare, with the approval of the Council of Government.
7. To pass judgment within six months on the laws and decrees passed by the chamber as the Congress of the territory, according to the report of the governor supported by the consent of the council, withholding publication until it has been acted upon by Congress, except in the case of constitutional laws.
8. To approve the regulations, decrees and ordinances for the better enforcement of the laws, as proposed by the governor of the territory and approved by the council.
9. To order general measures for the public health as proposed by the governor with the consent of the Council of Government, first hearing the reports of the health commission and the city councils, except that in emergencies the governor may take the needed measures, afterwards justifying them to the President.

POWERS OF THE GOVERNOR

1. To enforce and cause to be enforced the laws made for the federal territory of both Californias and the general laws of the federation.
2. To preserve peace and public order.

3. To announce such provisional regulations as may be necessary to put into effect laws and decrees of the general Congress and of the chamber of senators as the Congress for the territory, with the consent of the Council of Government, as many as can be put into effect, giving account thereof to the President for his approval.

4. To propose to the President the civil and ecclesiastical officers to be appointed by the government with the approval of the council, the appointees to serve provisionally until their names have been approved.

5. To see that the administration of justice by the magistrates is quick and according to the laws, but without officious meddling in pending cases and business, and without disposing of the persons of defendants.

6. To suspend up to three months and to withhold for the same time up to one half of the salaries of employees of the territory of the two Californias who break its laws and ordinances, which may be done with the unanimous consent of the Council of Government: and in case he thinks the matter of sufficient gravity, he will report the background circumstances to the court having jurisdiction.

7. Whenever a law is published which is not constitutional and is contrary to the interests of the territory, he will, with the unanimous consent of the Council of Government, inform the President so that the latter may object as his judgment indicates, which must be done within one month after the law has been received in the territory. Meanwhile, in the name of the President he will suspend its going into effect.

8. He will have the power, with the consent of the council, to give the President the information he needs in order to propose the laws and reforms which will be conducive to the well-being of the territory.

9. He will see that the local militia conforms to the discipline prescribed by the general Congress, and he will use it according to the laws of its founding.

10. He will proceed as quickly as possible to establish *ayuntamientos* in the towns in Upper California which have at least 600 citizens, and in those with 300 in Lower California.

11. He will preside over the *ayuntamiento* in his capital whenever he thinks fit or when that body requests it; and he will do the same for other towns whenever he finds himself in one.

12. He is to be the only channel of communication between the *ayuntamientos* and the President of the republic.

13. He will ask the consent of the fathers for the marriage of their minor children under the conditions specified in the ordinance of April 10, 1823.[115]

14. To remit to the President at the end of each year a report of the births and deaths in the entire territory, to be put in the general statistics of the nation.

15. In time of epidemics to take all measures immediately possible, after hearing from the sanitary commission, receiving reports from the *ayuntamientos* of the town and advice from the Council of Government, to prevent its increase and sad results, reporting the number of dead, describing the symptoms and doing whatever else may be required by the President, for the approval of expenses incurred as well as for the sake of additional precautions he may wish to order.

16. To decide officially and constructively, without controversy or judicial contention, questions growing out of the election of council members, rendering his decision exactly eight days after the publication of the election returns, without delay, and after this period he will permit no complaint.

17. To approve the accounts of community-owned property sent in by the town councils, after a careful check by the proper auditing office.

18. To present the monthly reports of taxes, if there be no commissioner; if there is one he shall submit the report.

19. To propose to the President all the measures he thinks best for the promotion of agriculture, commerce and industry, and whatever else will be beneficial to the territory.

20. To ask of the general military commandant, who is responsible for internal order in the territory, whatever armed hands he needs to preserve the peace in the towns and on the highways.

21. To give maritime passports to ships and persons who leave the territory for ports in the States of the federation, and interior permits for the movement of foreigners through the territory.

22. To see to the observance of the law concerning the military supplies.

23. To see that the statistics of the territory are carefully taken, and to see that they contain all that the law requires, not failing to add other reports and data which he may think suitable.

24. To order in the manner prescribed by law, and under his responsibility, the annual meeting of the electoral group to appoint magistrates, and in the proper time, the electors to nominate the deputies to the general Congress.

25. He will collect no fees from any of the measures he orders.

26. He will preside at all national and public functions, seeing that they are celebrated with the greatest decorum.

27. He will remain in office four years, though he may remain in charge for an indefinite time, being removed and transferred at the will of the President of the federation for the public good and for better service to the nation.

28. The governor and his lieutenants will have the title of *señoría,* unless for some reason they are entitled to a better one.

29. The governor must have been born within the territory of the nation and must have been in it continuously for eight years, he must be above

thirty years of age, he must enjoy a good reputation, be known for his impartiality and morality, and be a supporter of the federal system.

30. The governor will have a secretary and other help which he will appoint and dismiss at his will.

31. He will examine the lists of civil and criminal cases completed in the territory and will transmit them to the President so that the latter can pass them on to the chamber of senators in its capacity as Congress for the territory.

32. He will be responsible under the law for the acts of his administration.

33. He will see that all public establishments, all judicial and civil corporations, discharge their responsibilities.

34. Scientific bodies will render annual reports to him of the literary functions which they exercise, whether publicly or privately, of improvements they succeed in making, and of needed reforms and indispensable aids, in order that the President of the republic may be notified of them and provide the remedy.

35. Charitable institutions are subject to his inspection even though they may be under the charge of ecclesiastical or secular corporations, and they must render an annual report.

THE GOVERNOR'S LIEUTENANTS

1. There will be two, one for Upper California and one for Lower California.

2. They will be natives of the territory, more than thirty years of age, known for their good moral conduct, public spirit and devotion to the federal system.

3. They will take the place of the governor in his absence or illness; the one for Upper California discharging all the responsibilities of the governor; and the one for Lower California will do the same as the governor would were he present.

4. The one for Upper California will assist the governor so far as it is suitable in matters of public safety and tranquility; but in the responsibilities agreed upon he will not proceed as a subaltern, but with powers as full as those of the governor himself, in consultation with the Council of Government.

5. In matters agreed upon, the secretariat of the governor of Upper California will discharge the duties assigned by the lieutenant governor. The one for Lower California will have a secretary to assist him alone, whom he will have the power to appoint and remove as seems best for the common good.

6. He will be accountable to the governor of Upper California for all matters which should be brought to the attention of the President in order that he may act directly in all those cases or matters in which the governor has power to act, according to the agreement as to his powers.

7. The lieutenant governor will exercise the functions of the *patronato*.[116]

8. Both the lieutenant governor and the governor will hold office for four years with a salary of____________, and can be removed when the public welfare demands.

THE COUNCIL OF GOVERNMENT

1. The council will be composed of four individuals above thirty years of age, two of whom of necessity must be native born in the territory, the other two from any part of the nation; the salary will be____________. The lieutenant governor of Upper California will preside over the council and will have no vote except in case of disagreement.

2. Members will be elected by the people in the same manner as the deputies of Congress.

3. Their term of office will be four years.

4. They will be accountable before the law for the counsel they give to either the governor or his lieutenant, as the case may be.

5. Whenever it is stated that the governor must proceed in accordance with the Council of Government and by unanimous vote, he cannot do otherwise than as it decides, and in such cases the responsibility belongs to the council; in other cases it belongs to the governor.

6. The same is to be understood with reference to the lieutenant governor.

7. The council is also responsible for delays in consulting the governor and his lieutenant for decisions in urgent matters.

8. The decisions of the council must be in harmony with the general laws of the federation and the particular laws of the territory under its charge.

9. In Lower California there will be a Council of Government consisting of three persons, of which one must be a native of the territory, the salary to be the same as above, and the members must meet the qualifications already stated.

10. The first of the three to be chosen will preside over the council, whose powers will be the same as those of the council for Upper California.

THE AYUNTAMIENTOS

1. For the internal government of the municipal corporations there are to be councils composed of a magistrate (*alcalde*), three councilmen (*regidores*), and the attorney (*procurador síndico*). The minimum community to have a council shall be one of five hundred persons for Upper California and three hundred for Lower California.

2. The *alcalde*, councilmen and attorney will be elected annually according to the law which fixes the time and manner of elections.

3. The *alcaldes* are to be changed every year, two of the magistrates likewise, but the attorney will retain office for two years.

4. None of these officials may be reelected until after an interval of two years.

5. In order to be an *alcalde*, councilman or attorney, it is necessary to be an active citizen, above twenty-five years of age, at least five years a resident

of the town, of good conduct, and the owner of property, or in some office or profession.

6. The following cannot be *alcaldes,* councilmen or attorneys: employees of the national treasury, and public officials in actual exercise of the right to appoint executive officers. The prohibition does not include those who serve in the national militia.

7. These municipal employees are in duty bound to serve their turn from which no one may draw back without legal cause.

8. Every town council will have a secretary, elected by the members with an absolute majority of votes, who will be paid out of the public funds.

9. The councils will have charge of the administration of health, welfare, sanitation and civic beautification.

10. They are to assist the *alcaldes* in everything having to do with the security of the persons and goods of the townspeople and with the preservation of public order.

11. In their charge will be the administration and investment of the income from the municipal property in harmony with the laws and regulations, and for the present as directed under the title "Instructions to the *Ayuntamientos,*" with the duty of appointing a trustee or treasurer who will be responsible to those who appoint him; but if the appointment is permanent, he shall be responsible to whoever is carrying the offices of *alcalde,* councilmen and attorney; they shall not fail to see that he gives a proper account of himself.

12. They will apportion and collect the public funds and remit them to the proper treasury.

13. They will have charge of the elementary schools and of all other educational institutions supported by public funds, following exactly the method prescribed by law.

14. Under their charge will be the inspection of hospitals, foundling homes, and other charitable institutions not controlled by a definite corporation.

15. They are to be responsible for the construction and repair of the roads, causeways, bridges and prisons, for the publicly owned woods and nurseries for young trees, and for all the public works, whether they have to do with necessity, usefulness or beauty, such as keeping rivers and canals clean.

16. They are to draw up the municipal ordinances for the town and present them to the district Congress for its approval, given through the district governor, who will then transmit them to the President of the republic, so that through him they can be brought to the attention of the Congress.

17. They will promote agriculture, industry and commerce suited to the locality and conditions in the towns, and when it will be practical and beneficial to do so, they will make whatever reports they think necessary through

the governor to the President of the republic, who will convey the reports to the Congress.

18. When the funds available to the town council are insufficient for needed public works, and it becomes necessary to have recourse to the publicly-owned property, this shall not be drawn upon without obtaining the approval of the Congress, given through the President of the republic, to whom the necessary information is to be given through the district governor; but in case the work or object is very urgent for which the funds are destined, or if delay will cause irreparable harm, the town councils may make local use of the funds without previous approval from the governor or the Council of Government.

19. The town councils will give to the governor of the federal district an annual accounting of the public funds they have collected or disbursed with the approval of the Council of Government.

20. The services, both general and particular, of the *alcaldes*, the councilmen and the attorney, must be rendered without exacting any fees whatsoever.

21. The *alcaldes* will exercise the office of conciliators in those cases in which the law requires arbitration.

22. They will try by verbal judgment civil suits to the value of one hundred *pesos*, which decisions cannot be reversed, and in the same manner they will try criminal cases involving trifling injuries or offenses meriting no punishment other than repression or light correction.

23. The *alcaldes* may render suitable decisions in civil matters before they become litigious, and in these they are to make such stipulations as will prevent the matters from coming before the judge of the first instance.

24. Within the limits of their powers they will execute measures to secure good government, as agreed to by the council; the councilmen are authorized to do the same as assistants of the *alcaldes*.

25. The responsibilities which in the regulations concerning town councils are assigned to the provincial deputation, will be discharged by the territorial governor, the Council of Government being in agreement.

26. In the towns in which there is no council, the one nearest will appoint a lieutenant charged with security and public order, with the administration of health and freedom from want, the same as the *alcaldes* do. He will report conditions, and the council will appropriate whatever means it can from the public funds.

ADMINSTRATION OF JUSTICE IN CIVIL MATTERS

1. The citizens may elect arbiters to decide disputes.

2. The decisions they render will be carried out by the executive, unless the right to appeal is reserved.

3. In such cases once the decision has been rendered there can be no further appeal.

4. The *alcaldes* of the town councils and the lieutenants of the towns will be judges of peace and arbitration, and without their certifying that arbitration has gone before, no civil or injury claim will be allowed.

5. In conciliation proceedings each party will meet with a good man appointed by the *alcalde* and given the authority to end the litigation amicably.

6. In all transactions exceeding______________*pesos* there can not be more than three definitive sentences, unless there remains another recourse than nullification because of the omission of legal forms.

7. The law will dispose according to circumstances of those matters and judgments in which two sentences call for the writ of execution.

8. When an appeal for nullification is allowed, the sentences will be carried out, the defendant giving security satisfactory to the court for the return of that which he received.

THE ADMINISTRATION OF CRIMINAL JUSTICE

1. Any citizen may arrest an offender surprised in the act, and conduct him into the presence of the judge.

2. Except under these circumstances no one can be arrested without previous verbal process describing the deed for which the law is to inflict corporal punishment, and a written order from the judge notifying him of the action to imprison him.

3. If while the charge is being drawn up it becomes urgent that the alleged offender be jailed, he may be detained in the jail while the written order from the judge is being prepared.

4. The orders of the judges are to be obeyed by everyone and whoever refuses will be considered a lawbreaker.

5. Force may be used in case of flight or resistance.

6. The accused will present himself before the judge before he is put in prison, that there may never be cause for securing a deposition under pressure; if it cannot be secured then, he is to be taken to jail in the detained class, and the judge will receive his statement exactly seventy-two hours from the time of his commitment.

7. When he has been placed in the prison, a writ showing cause will be provided and a copy of it delivered to the *alcalde* to be entered in the prison record. Without this no one is to be committed in this class.

8. Declaration as to criminal matters covering one's own acts is not to be received under oath.

9. For no crime is there confiscation of goods.

10. Torture is abolished by society and will not be used on any citizen, nor will he be forced in any other manner, since force has been abolished.

11. The punishment for infamy does not extend beyond the author, because it is personal.

12. He who extends credit in ways not prohibited by the law will not be imprisoned.

13. The accused can be released on bail when the charge does not appear to be a crime which the law punishes with corporal punishment.

14. The jail must be clean, ventilated and healthful, since it is only used for confinement and not for punishment.

15. The prison *alcaldes* will be responsible for the security of the prisoners, keeping them occupied with some sort of work; to keep them in underground dungeons is never to be permitted.

16. If the judges or the *alcaldes* fail in the matters covered by the preceding articles, they are to be punished without fail as guilty of arbitrary detention.

17. Within seventy-two hours the accused will be shown the cause of his imprisonment and the name of his accuser, if any.

18. The process will be public, and will continue so after the defendant has heard the indictment.

19. The home of the citizen is sacred: it is not to be entered by force nor its papers or effects examined, except in the cases expressly provided for in the law and in the prescribed form.

20. Death sentences, or others described as *corporis aflictiva,* pronounced by inferior judges, will not be carried into effect unless approved by the superior Tribunal of Justice.

21. Justice shall not be denied the defendants, therefore they will be given the necessary competent assistance.

22. The *alcaldes* in the jails are never to collect fees other than the pay assigned them, and they are not to be permitted to establish any custom among the prisoners which will entail expenses, no matter how small.

JUSTICES OF THE PEACE

1. There will be in Upper California five justices scattered in the places most convenient to the settlements of the people.

2. In Lower California there will be two, which is in proportion to the population.

3. They will try causes of the first instance as provided by law.

4. They will strive to bring their cases to a speedy conclusion, resisting or preventing the introduction of irrelevant details.

5. In appeals it is their responsibility to determine the level.

6. They are not to introduce rules concerning the pay assigned them.

7. They are forbidden to accept any gratuity, whatever its title or name.

8. Lacking a notary public, they are to take action only in the presence of two witnesses.

THE SUPERIOR TRIBUNAL OF JUSTICE

1. For the better transacting of business there is to be a Tribunal of Justice.

2. It will have appellate jurisdiction in the second and third instances in matters pertaining to both Californias.

3. It will not be able to transfer proceedings from an inferior court for the purpose of examining them, and will only be able to ask for the proceedings if the inferior judge denies appeal or delays the assignment of the level in order to serve his own ends.

4. The tribunal will be composed of a president, two justices, and three counsellors.

5. The president will divide the chambers according to the internal by-laws which give shape to the tribunal itself.

6. It will decide the controversies which may arise among the authorities of the district, and between them and the military.

7. There will be three chambers, and each one will consist of a justice and two townspeople, honorable citizens appointed by the presidents of the chambers, alternating the responsibility among those who have the best reputation for good conduct, those who will justify the confidence shown in their integrity, without exacting a fee, wage or reward.

8. Appeals can be made from one chamber to another, in cases where it can properly be done according to law.

9. The second instance will be substantiated with a written allegation by both sides.

10. In the third, neither petitions nor allegations will be admitted: it will be decided solely on the judicial proceedings presented in that chamber.

11. In appeals from nullity and liability entered against the judges and justices, a chamber is to be formed composed of the president of the tribunal, the justice who presided in the third instance and five citizens, the last chosen by lots drawn by the principals in the presence of the interested parties or their representatives.

12. In such appeals written allegations will not be admitted; the party himself or his attorney will meet with the court and verbally give expression to the formula or law which has been infringed.

13. There will be no solicitors or agents.

14. Written statements are not to be admitted unless notarized.

15. The tribunal will have a secretary with two officers capable of writing reports in the second and third chambers, the three serving as court reporters and collecting the fees according to the fixed list.

(To be concluded)

NOTES

114. The laws of May 10 and December 20, 1827 *(vide, supra,* [II.], Note 62), evidently caught not only Tamariz, but Tomás Suría as well, though both were later exempt from expulsion because of physical disability, being included in the list excused from the terms of the very drastic expulsion law of March 20, 1829 (Basilio Arrillaga, *Recopilación de Leyes,* Senate *acuerdo* of April 21, 1829 [January, 1832-March, 1833], 281-316).

115. Probably based on the ordinance of Charles III, of March 23, 1776, stating that minor sons (under 25 years of age) must have the consent of their fathers before con-

tracting marriage (Juan Nepomuceno Rodríguez de San Miguel, *Pandectas Hispano-Megicanas* [Mexico, 1852], II, 403).

116. The fact that the *patronato* was to be exercised by the lieutenant governor is perhaps an indication that it was to be a function of considerably less importance than it had been under the Spanish regime. The appointment of ecclesiastical officers, once a part of the *patronato*, was to be exercised by the President of the republic, upon the recommendation of the territorial governor (*supra*, POWERS OF THE GOVERNOR, No. 4). The outstanding Spanish work on the *patronato* at the time of meeting of the junta was Antonio Joachín de Ribadeneyra y Barrientos, *Manual Compendio de el Regio Patronato Indiano*. Madrid, 1755. A later work, from a Mexican source, is the section "Sobre Patronato," in Rodríguez de San Miguel, *op. cit.*, I, 331-389.

News of the Society

Gifts Received by the Society

June 1 to August 31, 1946

BOOKS AND PAMPHLETS

From MR. EDWARD O. ALLEN—Langley's *Street and Avenue Guide of San Francisco*, 1875.

From the late MR. ALBERT M. BENDER—Breen, Patrick, *The Diary of Patrick Breen* . . . Introduction and Notes by George R. Stewart, San Francisco, The Book Club of California, 1946.

From MR. GEORGE F. BRIMLOW—Brimlow, George F., *The Bannock Indian War of 1878*, Caldwell, Idaho, Caxton Printers, 1938; *Cavalryman out of the West: Life of General William Carey Brown*, Caldwell, Idaho, Caxton Printers, 1944.

From CALIFORNIA STATE CHAMBER OF COMMERCE—*Directory, Chambers of Commerce and Similar Organizations in California*, San Francisco, June 1946.

From MR. MARION CLAWSON—Montgomery, Mary and Clawson, Marion, *History of Legislation and Policy Formation of the Central Valley Project*, Berkeley, March 1946. (U. S. Department of Agriculture. Bureau of Agricultural Economics.)

From CORNELL UNIVERSITY LIBRARY—Wright, Albert, *Our Georgia-Florida Frontier, the Okefinokee Swamp, Its History and Cartography*, volume I, Ithaca, N. Y., 1945. (Studies in History, nos. 9-14.)

From MISS FLORENCE R. CUNNINGHAM—Cunningham, Florence R., *New Tales of Old California, Our Home Town, the Little Sawmill on the Shores of the Arroyo Quito*, 1942. Reprinted from Saratoga *Sentinel*, California.

From MR. HENRY FOSTER DUTTON—*California's Grizzlies, 144th Field Artillery* [San Francisco, 1918].

From MR. PAUL F. GILLESPIE—Judson Pacific-Murphy Corporation, *A Romance of Steel in California*, San Francisco, 1946.

From MRS. MILTON E. HAMMOND—*Johnson's New Illustrated Family Atlas of the World*, New York, 1863.

From MRS. CHESTER W. JUDSON—McFarland, Justice, *Remarks before the Harvard Club of San Francisco, at a Banquet on November 9, 1900, in Response to the Theme "Reminiscences of College Days"*; Poole, A. W., *Coloma Kate*, n.d.

From MR. EDGAR M. KAHN—Kahn, Edgar M., *Andrew Smith Hallidie as Writer and Speaker*, San Francisco, 1946.

From MR. GEORGE W. KLEISER—Foster and Kleiser Company, *Forty Years of Advertising, 1901-1941* [San Francisco], 1941.

From MISS IRENE J. MILLER—American Russian Institute, *Soviet Culture in Wartime, Numbers 2-3*, San Francisco, 1944-1945; *Soviet Schools in War and Peace*, San

Francisco, 1945; *Stronger than Death, Short Stories of the Russians at War,* San Francisco, Grabhorn Press, 1944.

From MRS. GEORGE F. NEWTON—Kimball, Charles P., *The San Francisco Directory,* September 1, 1850. Second edition.

From MR. JAMES R. PAGE—Page, James R., *I. N. Van Nuys, 1836-1912,* Los Angeles, Ward Ritchie Press, 1944.

From STANFORD UNIVERSITY PRESS—Underhill, Reuben L., *From Cowhides to Golden Fleece,* 2d edition, 1946.

From MR. DONALD E. STAUFFER—*Sequoyah and his "Talking Leaves,"* Oklahoma Planning and Resources Board, Division of Forestry and State Parks, Oklahoma City, 1946.

From MR. CHARLES C. TEAGUE—Teague, Charles C., *Fifty Years a Rancher,* Los Angeles, Ward Ritchie Press, 1944.

From MR. HENRY R. WAGNER—Cleland, Robert G., *A Formula for Greatness,* Los Angeles, Ward Ritchie Press, 1946; Henry E. Huntington Library and Art Gallery, *18th Annual Report, 1944-1945;* Quivira Society, *Publications, volumes 1 to 9, 1929-1939;* Stewart, Watt, *Henry Meiggs, Yankee Pizarro,* Durham, N. C., Duke University Press, 1946; Wilson, Carol Green, *California Yankee, William R. Staats, Business Pioneer,* Claremont, Saunders Press, 1946.

From MISS LOTTIE G. WOODS—Auction Catalogs: Butterfield & Butterfield, *Contents of Edgecourt, the Hillsborough Residence of the Late Mrs. George A. Pope,* September 1945; William Goodman, *Art Objects, Property of the H. M. De Young Memorial Museum,* March, April 1946; Woodland District Chamber of Commerce, *Yolo County,* 1940.

MAGAZINES AND NEWSPAPERS

From MR. HENRY FOSTER DUTTON—San Francisco *Evening Bulletin,* December 30, 1871.

From MISS MILDRED FLOURNOY—Red Bluff *Daily People's Cause,* vol. XXXIII, no. 110, July 23, 1894.

From MRS. CHESTER W. JUDSON—*The London American,* July 6, 1900, Independence Day Celebrations in London.

From MR. PHILIP S. RUSH—San Diego County's Historic Ranchos series, and other articles on San Diego County, clipped from *The Southern California Rancher,* 1943-1946.

From MR. HENRY R. WAGNER—*Huntington Library Quarterly,* volume IX, no. 1, November 1945; volume IX, no. 3, May 1946; *Touring Topics,* October 1931.

MANUSCRIPTS

From MR. EDWARD O. ALLEN—Letter of Governor George C. Perkins, introducing H. B. Pasmore, May 29, 1882.

From MR. ALLEN L. CHICKERING—Norris, Samuel, Letters, 1850-1868 (Christensen Letters), ten letters, nine in Danish with translations, one in English.

From MR. RALPH H. CROSS—Prehn, Nettie Grotefend, Sketch of August Grotefend. Typewritten copy of the original manuscript.

From MR. J. W. JOHNSON—Smedberg, James R., Report of Trip to Quicksilver Mines, Dec'r 16-17, 1879, inc. Typewritten.

From MRS. CHESTER W. JUDSON—Documents: Deeds to Property in Tulare County, William M. Rice, 1860; United States Letters Patent, Property in Tulare County, William M. Rice and others, 1860-1874; California Letters Patent, 80 acres School Land, Tulare County, William M. Rice, 1869; U. S. Board of Enrollment, Instructions to Enrolling Officers, Oct. 31, 1863.

From A. T. LEONARD, JR., M.D.—Deed, 1907, Sample of McEnerney Title to San Francisco Land, issued after the 1906 Fire.

From MR. FOWLER MALLETT—Mallett, Fowler, The Origin of the Bear Flag, 1944. Typewritten.

From MR. LYMAN E. PORTER AND MR. QUINCY PORTER—Lyman, Chester Smith, Original Journals, 14 vols., from which was compiled *Around the Horn to the Sandwich Islands and California, 1845-1850,* 1924; Account Book, 1861-1864; Meteorological Journal kept on board Ship Mariposa, 1845.

PICTURES AND MAPS

From MR. EDWARD O. ALLEN—Photographs: Edwin Booth; Alice Kingsbury; Kearny Street, San Francisco, July 4th, 1876.

From COL. C. S. BENDEL—Photographs: Carmel Mission; Santa Cruz Big Trees; Lick Observatory; Lick Observatory, Toll Station; Mammoth Grove Hotel, Calaveras Grove; Section of the "Grizzly Giant," Mariposa Grove.

From the late MR. ALBERT M. BENDER—Coulter, Edith M., and Van Nostrand, Jeanne, editors, A Camera in the Gold Rush, Part 3: Coloma; Part 4: Forest Hill; Part 5: Mining on the American River, San Francisco, The Book Club of California, 1946.

From MRS. ROBERT EASTON—A Map of the U. S. Military Reserve at Benicia, Cala.... February 29, 1856. Photostat copy.

From MR. HAMILTON C. JOHNSON—Two Portraits: Hamilton Walker Crabb, and his Infant Grandson. Framed.

From MR. M. HALL McALLISTER—Post card: Gen. Grant and Party at the Mines in Virginia City, Nevada, Oct. 28, 1879.

From MR. H. C. PITTMAN—Eight Post Cards, San Francisco Earthquake and Fire, 1906.

From MISS WILHELMINA SHARPE—Photograph, Mrs. Isaiah Woods; Daguerreotypes, Father and Mother of Mrs. Robert J. Woods.

From CHARLES E. VON GELDERN, M.D.—Water Color of Plaza at Sonoma in the early Fifties.

From GOVERNOR EARL WARREN—Photographs: Earl Warren, Governor of California; Earl Warren and Family (1942).

MISCELLANEOUS

From MR. EDWARD O. ALLEN—Card of Admission to the Inaugural Ball at the new Pension Building, March 4, 1889; Program Inaugural Ball, New Pension Building, March 4, 1889.

From MR. HENRY FOSTER DUTTON—San Francisco Tivoli Opera House, Program, September 1st and 8th, 1890.

From MRS. RAY HARRIS—Invitation to Lectures by Adolph Sutro on "Mines and Mining" April 14 and 15, 1874, Willards' Hall, Washington, D. C.; Ticket to Lecture on April 21, 1874; Clipping on Lecture by Adolph Sutro.

From MRS. CHESTER W. JUDSON—Death of President McKinley, Memorial Services, Invitation and Program, Newspaper clippings; Programs: California Theatre, San Francisco, Paderewski, March 26, 28, 30, April 2, 1900; Inauguration of Benajmin Ide Wheeler as President of the University of California, October 29, 1899; Complimentary Banquet given by Judge H. A. Pierce to the Los Angeles Bar Association, January 29, 1906.

From MR. M. HALL McALLISTER—Invitation to "The Assemblies" Wednesday, 16th November, 1887.

From MRS. C. L. MEDLICOTT—California Kindergarten Training School, Commencement Program, June 7, 1889.

From MRS. MAI MORRISSEY—Invitation to May Party, May 3d, 1859, to Master Joseph Galloway; J. W. Galloway, Antioch, Cal., Stamped Envelope, Wells, Fargo & Co.

From MRS. M. PLOWE—Business Card of I. Rowell, M.D., Physician and Surgeon, 520 Kearny Street, San Francisco.

From MR. D. Q. TROY—Season Ticket Book, Panama-Pacific International Exposition, 1915.

New Members*

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*The three new members, after whose names appears the designation "Honor Award," have been selected by the respective colleges from among their graduates in history showing marked ability in the subject. The donors of the awards, who wish to remain anonymous, are themselves members of the Society and graduates of the colleges named. They plan to continue this generous provision of annual scholarships for similarly able future students.

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Marginalia

Allen L. Chickering, author of the paper on Samuel Norris, needs no introduction to the readers of this QUARTERLY, who will remember his meticulous research in connection with the discovery of the Drake plate (XVI, March 1937; XVII, December 1938), as well as his translation of portions of Edmond Leuba's *La Californie et les Etats du Pacifique* (Paris, 1882) in Volume XVII, June and September, 1938. Mr. Chickering has been a director of the California Historical Society since 1931 and served many years as its president.

Of the two writers reporting on the work done to establish the identity of the original Monterey Custom House pole, from which flew the official banner of the United States in July of 1846:

Aubrey Neasham's paternal grandparents came to California in the early 'fifties; across the line in Nevada his maternal grandfather took part in the rush to the Comstock. Their grandson was born in Nevada. He is a graduate of the University of California, and was granted a Ph.D. degree in 1935. From 1935 to 1938 he engaged in research on California landmarks for the State Division of Parks, after which he was appointed regional historian of the National Park Service with headquarters in Santa Fe, New Mexico. During the war he served as coordinating custodian of the Kings Mountain National Military Park and the Cowpens National Battlefield Site in South Carolina, and as a lieutenant in the Navy. In February of this year Dr. Neasham was re-appointed regional historian of the National Park Service, with headquarters in San Francisco.

Richard K. Beardsley was born in Cripple Creek, Colorado, coming early to the San Francisco Bay area. His training in anthropology has been entirely at the University of California under the direction of Dr. A. L. Kroeber. During the last war he made a Navy-sponsored tour of the Pacific and China as a Japanese language officer, and at present is engaged in studying problems in California archaeology, in connection with his doctoral thesis. Mr. Beardsley is the author of "Fired Clay Figurines in Central and Northern California," and "The Vanishing Hitchhiker: a Study in Method," published in recent technical journals.

Mrs. Leonora Wood Armsby, author of the history of the San Francisco Symphony Orchestra's first decade, is president and managing director of the Musical Association of San Francisco, with whose activities she has been connected since 1935. The ten preceding years, through hard times and good, she was the managing director of the Philharmonic Society of San Mateo County, during the period of symphony concerts given by that society in the Woodland Theater, San Mateo. Mrs. Armsby is a native of Springfield, Illinois, a graduate of Monticello College at Godfrey, Illinois, and studied composition in New York and in Paris. In 1942 Mills College awarded her the honorary degree of Master of Arts. Mrs. Armsby is the author of *Musicians Talk*, published by the Dial Press in 1935.

AMONG OUR NEW MEMBERS:

One hundred years ago Jacob K. Basford, father of H. R. Basford, arrived in California on Commodore Sloat's flagship. He married the daughter of William Lawrence Merry, settled in San Francisco, and built a home on Pine Street, just west of the subsequent California Market.

Harold W. Bradley, author of *The American Frontier in Hawaii, 1789-1843*, is dean and professor of history at the Claremont Graduate School.

Although Perc S. Brown has been for some years a resident of New Jersey, he has not lost his interest in the west coast, as evidenced by his growing collection of Western Americana of which he writes us.

Emeritus professor of history at McGill University, and honorable secretary of McCord National Museum in Montreal from 1925 to 1935, Charles Edmund Fryer is now making his home in Santa Barbara.

Miss Alice Griffin, stimulated by an interest in southern Monterey County, has spent several years in accumulating data from pioneer families relating particularly to the land question and mission history.

Mrs. James H. Henry's grandmother, Ida Belle Hollenbeck Braden, attended as a child the San Juan Bautista mission school; Mr. Henry's great-grandfather, Henry Hewlett, was an early settler in Stockton, where the family still resides.

Roy Hill, through his activities in bay region numismatic and philatelic organizations, has become interested in Californiana, other than the phases of the subject connected with coins and stamps.

Miss Alice Colden Hoffman, niece of Judge Ogden Hoffman, will be remembered as one of the "Hoffman sisters." Her hobbies have been two: horses and photography. The latter, encouraged by Willis Polk, W. E. Dassonville and Charles Grimwood, developed into a flourishing blue printing business in which Miss Hoffman is still active.

J. James Hollister is the son of Colonel W. W. Hollister who crossed the plains in 1850, later founding the towns of Hollister and Lompoc. Mrs. Hollister is a sister of Lincoln Steffens.

Frank P. Hooper, Jr., is the grandson of John A. Hooper, familiar to students of San Francisco history. An adobe, built in 1835, is still in use on the grounds of the Hooper summer home in Woodside, and the family owns a photograph of Chris Iverson taken in the doorway of his cabin, later purchased by John A. Hooper.

Through his various business connections with California utilities, Robert A. Hornby encountered many historical landmarks in California. This led to a growing interest in the geo-political history of the state.

Miss Olive Hyde is a daughter of Frederick A. Hyde and a niece of Leander S. Sherman, who together founded the firm of Sherman and Hyde in the 1870's. This firm was the predecessor of Sherman, Clay and Company.

An inherent interest in the history of his native state has, for Charles Kasch, been intensified and stimulated through his activities as a member of the Park Commission and in the establishment of historic monuments.

Frederick J., one of nine children born in San Francisco to Mr. and Mrs. John L. Koster, has long been identified with civic, charitable and business affairs of his native city.

Four generations of his family, Laurence Livingston tells us, have been members of the Society of California Pioneers, his paternal grandfather having arrived in Folsom in 1849.

Mrs. Richard Magee, a westerner by adoption, spends much of the time on her Nevada ranch in the study of the early fur trade, Jedediah Smith and his strange and tragic life being her particular specialty.

Stewart Mitchell writes that he is accumulating knowledge relating to the history of roads in California.

Dudley T. Moorhead, who spent eighteen months as historical officer of the XIII Bomber Command of the Thirteenth Air Force in the south Pacific, is now teaching in San Jose and working on various historical studies relating to the history of California.

William O. Morgan, who, ninety years ago, was born near San Lorenzo, has lived in Oakland and Piedmont since 1877 and has, in consequence, seen the growth of the east bay communities from tiny village settlements to their present metropolitan area.

Gurney E. Newlin has long been identified with the legal, musical and business history of the southern part of California. His father was one of a group that purchased land and in the 1880's laid out the town of Whittier.

The name of Marco R. Newmark is familiar to all our members. Mr. Newmark in 1916 was co-editor of his father's book *Sixty Years in Southern California,* and in 1929 published the *Census of Los Angeles County and City for 1850.* Various articles written by him have appeared in the *Quarterly* of the Historical Society of Southern California, of which in 1941 and 1942 Mr. Newmark served as president.

Collectors of Californiana all know *The Life and Adventures of Col. L. A. Norton.* Colonel Norton's grandson, Lewis M. Norton, spends much of his time in Healdsburg, where his father, Edward Malloy Norton, was long a leading attorney.

Horses form a large part of the background of George J. O'Brien, his maternal grandfather, David McLaughlin, having driven to California in the late 'fifties for the Butterfield Overland Mail, later operating stage lines from San Francisco to Visalia, and from Vallejo to Napa and Sonoma. Mr. O'Brien carries on this ancestral love of horses by being a member of Los Rancheros Visitadores, Vaqueros del Desierto and the San Francisco Sheriff's Mounted Posse.

Robert O'Brien—"Bob" to the newspaper fraternity—has provided much enlightenment, and entertainment, to readers of his tri-weekly column "Rip-Tides," appearing in the San Francisco *Chronicle*.

Mrs. James R. Page sponsored, in 1944, the Liberty ship, *I. N. Van Nuys*, which was named for her father, for many years a leader in social and business affairs in southern California.

Antonio María Lugo was grantee of San Antonio Rancho in 1810; his son, José María, was grantee of San Bernardino Rancho in 1842. It is heart-warming to see that the former's great-great-great-grandson, Eugene Reyes Perez, M.D., is continuing the Spanish tradition by naming his daughters Teresa Dolores and Camila Inez.

Loring Pickering bears the name of his father who was for many years one of California's best-known newspaper men, and whose portrait, through the courtesy of Miss Virginia Fitch, is now hanging in the rooms of the Society.

A direct descendant of José Antonio Ortega, T. M. Storke is president and general manager of the Santa Barbara *News-Press*. He is the seventh generation of his family to be born in California.

Grandparents on both sides of Mrs. John A. Sullivan were '49ers; her mother was the first white child born in Nevada City, and her great-great-uncle was Peter Burnett, elected governor of California in 1849.

"Pioneer in the great citrus and walnut industries of California, supporter and prosecutor of agricultural research; untiring advocate of improved agricultural methods; worthy representative of the state's largest industry," were the words inscribed upon the diploma given Charles C. Teague at the time the University of California conferred upon him the honorary degree of Doctor of Laws.

Joseph Sexton Thompson is the son of James Alden Thompson, born in 1845 in the then Sandwich Islands, later settling in San Francisco where the Society's new member was born. Mr. Thompson was president of the Musical Association of San Francisco, 1935-36.

One of the California Historical Society's most recent and highly prized acquisitions is the famous "von Geldern water color," showing Dr. Charles von Geldern on horseback in the plaza at Sonoma in the very early 'fifties. Dr. Charles E. von Geldern, grandnephew of the original Dr. von Geldern, generously presented the little painting to the Society at the time he became a member.

Carol Green Wilson (Mrs. George Osborne Wilson) despite numerous civic and religious duties has found time to publish two excellent books on California, the first, *Chinatown Quest;* the second, *California Yankee—William R. Staats, Business Pioneer,* being just off the press. Mrs. Wilson is planning to continue her writing.

Although a Canadian by birth, P. G. Winnett has for half a century been closely associated with the merchandising history of Los Angeles, as well as with community planning projects in that city.

Members will note with pleasure two honors recently bestowed upon A. T. Leonard, Jr., M.D., one of the directors of the Society: he is now president of San Francisco Parlor No. 49, Native Sons of the Golden West, and president of the Society of California Pioneers of Santa Clara County. It will be remembered that Dr. Leonard succeeded Senior Chief Frederick J. Bowlen as president of the San Francisco Fire Department Historical Society, upon Chief Bowlen's death in March 1945.

CALIFORNIA HISTORICAL SOCIETY

Incorporated March 6, 1886 Reorganized March 27, 1922

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Lances at San Pascual

By Arthur Woodward

PROLOGUE

IN THE year 1846 California was a lazy, irresponsible youngster clad in long calzoneras* and a short jacket, with velvet topped shoes upon his feet, spurs upon his heels and a low crowned broad brimmed hat set well back upon his head. He drowsed in the sun and gambled away the hours at monte or cock fights. He was a reckless joven armed with a short sword and a long lance and he wouldn't walk across the road if there were—and there always was—a horse to ride. He cocked hoydenish grimaces at Old Mother Mexico. He punched cattle for a living. He hated farming and had little use for hard money. He hunted grizzly bears with a rawhide reata and chased the wild Indians who stole his horses. He went to church most of the time, but when the Missions were broken up by the Powers That Be, he took over the Mission cattle and lands and filched the tiles and adobe bricks from the Mission buildings to construct outbuildings upon his newly acquired lands. He was not impious; no, just careless and somewhat shiftless. He was practical in an impractical sort of way. The Missions no longer served their purpose. He was a true son of the Church, but he knew that untended buildings would speedily revert to the earth whence they came unless the sun-baked adobes were used; so, what would you, señor?

He loved to speak in flowery phrases, and when he wrote, which he did upon occasion, he stormed heaven with his bombards of effusive rhetoric (on legally stamped paper, of course), and if no proper paper was at hand, he noted it very carefully, thus showing that his intentions were good. He made love ardently and fought his enemies just as heatedly, but his battles were mostly verbal and there was little bloodshed.

Being a ranchero he loved the matanzas where the cattle were slaughtered for their hides and tallow. The hides and botas of tallow were the leather dollars and their accompanying currency for the purchase of silks from China, packed in gaily painted leather chests, satin shoes from France, ironware from England and copper stills from New York and Philadelphia. He sent fence posts, clay tiles and sea-otter pelts to the Sandwich Islands. From Mexico came brown sugar, the delectable panocha, made in little truncated brown cones and packed in straw; cotton cloth from Puebla; cooking wares from Tonalá; beans, gourd water-bottles, new immigrants, letters and politicians. All except the latter were welcome. In his heart this overgrown, sprawling youngster, so gay and irresponsible, was essentially an orphan on his own. He was tied to the apron strings of Old Madre Mexico, but, like all

* English equivalents of less common Spanish words used in text are given in Glossary preceding Notes.

adolescents he felt himself to be a man, and so he resented the political guardians set over him, particularly if they came from Mexico. Occasionally he kicked over the traces; he rebelled noisily with printed manifestoes, bombastic speeches and much sword rattling, then subsided once more into good-natured, lazy indolence broken only by the excitement of the rodeo and matanza or the bailes held at the various ranchos. He would rouse himself to ride for miles on horseback or in the creaking wooden carreta to attend one of these fiestas, where he tried to outdo the tecolero or dancing master and displayed his feats of horsemanship (it was said a Californio could throw a reata better with his foot than a Sonorense could with his hand).

He lived in six sleepy villages scattered the length of the land: Yerba Buena at the north, Monterey the capital, San Jose, Santa Barbara, Los Angeles and San Diego. All of these places except San Jose and Los Angeles were presidio towns, and naturally the latter, being military centers, were more important.

There were the ranchos to be sure, great tracts of land upon which thousands of head of cattle, sheep and horses grazed. Prior to 1820 there were but few of these ranchos in existence but by the year 1846 they had increased one hundred fold. It was the Golden Age of living. The Missions, which had been the agricultural, religious and cultural centers of the land, were in the winter of their discontent. The rancheros had grown wealthy and comfortable. They were complacent in their provincialism and were little interested in events beyond their immediate horizon.

Now and then foreigners drifted into this Pacific paradise. They found this young Californio a hospitable host. Some were roving trappers, others were sailors who jumped ship to escape the harsh life on board the trading vessels and hide droghers that put in at the sleepy little California ports. There were doctors, or would-be doctors, carpenters, soldiers-of-fortune, merchants and horse thieves. These newcomers found the land good and they lingered on. They married the daughters of the rancheros, acquired ranchos of their own and settled down to enjoy the easy way of living. In time they became true brothers of the paisanos who drowsed in the sun. They learned to speak Spanish and wore fancy clothes. They took out naturalization papers and almost forgot the lands from whence they came. Even the Americans did this.

There were no heavy taxes. There was no large standing army. Like the Missions, the army had gone to seed. The soldiers were recruited from the ranchos and they were few in number. Their arms were the lance, sword, and flintlock musket. A few clung to the old rawhide adarga or laced shield, of the style brought into Mexico in 1519 by Cortés.

The Indian menace had dwindled, thanks to the efforts of the Franciscan gray robes, and an active military force was no longer needed in this Never Never Land. Cannon rusted in the presidios, the muskets lost their flints, and the soldiers began drifting away to work as vaqueros on neighboring ranchos. It was the only way they could keep from starving to death.

Such, in brief, was California in 1846 when the first thunder heads of trouble began piling up on the eastern horizon. It was only when John Charles Frémont and his crew of buckskin clad mountaineers began making unneighborly gestures in the northern part of the province, that this somnolent youngster that was California began to wonder what the fuss was all about. Eventually he became fully awake to the danger that menaced him and his free way of living. He was puzzled, hurt, then angry, and, like a youth feeling the first pangs of his manhood, he thought only of revenge upon the invaders. He knew of only one method of settling these differences, with horse and lance. Since those gringos had selected as their insignia the grizzly bear, which they painted upon their home-made flag at Sonoma (and which the Californians thought looked more like a pig—which it did) they determined to fight them as they did the grizzlies, with the lance and reata. Hadn't he, El Vaquero de California, noosed grizzlies many times with his reata and dispatched them with lance and sword? Si señor!

So, this irate joven slapped saddle upon his favorite caballo, seized his pennoned lance and galloped off to the fray, whooping and singing. It was his last ride as a free man, but he didn't know it, and at a little Diegueño Indian ranchería known as San Pascual he rode into the mists of the morning shouting:

"Aquí hacemos un gran matanza!"

(Here we are going to make a great slaughter!)

These were just words. In his heart he didn't really want a great killing. He didn't actually want to fight, but it was his nature to boast. When the hour came, he rode into the fray with leveled lance and shouting. Soon it was over. Men lay dead upon a sandy creek bed under the willow trees. Then El Vaquero rode away. He left the enemy in possession of the field and technically the victory went to the Americans. In his heart El Vaquero knew he was defeated although he tried to claim the day as his own. He returned home on jaded horse with lance pennon drabbled with blood. It was over. The Golden Dream was fading. Actually the life of old California vanished in those mists at San Pascual and the purpose of this article is to recall briefly the last act of the drama enacted a century ago and to allow the actors once more to emerge from historical limbo and speak their parts. Salud defensores y adiós! We shall never see your like again.

Dust rose in stifling clouds and the late November sun beat down upon the bone-weary troopers of Stephen Watts Kearny's "Army of the West" as it neared its camp 106, the site of which was one and one-half miles south of the junction of the Gila and Colorado rivers. This was the evening of November 22nd, 1846.[1] All day a strong east wind blasted flying sand against the tired and hungry men. The horses and mules, purchased at such great expense in New Mexico, were falling by the wayside. General Kearny's horse gave out that day and he had to mount a mule. Many of the men were on foot and many were without shoes. Food was scarce and to top it all the scouts had brought in news that somewhere in their vicinity was a camp of at least a thousand horsemen, to judge by the tracks in the trail. This was disheartening for a small force of 101 worn-out men. However, Kearny decided that the Americans were too few in number to bear the brunt of an attack and so must act the part of the aggressor, hoping that the enemy could be dispersed before he learned of the small force which opposed him.

Camp was pitched that night in a grassy hollow of the sand hills, which were overgrown with thorny mesquite trees. Forage for the broken-down dragoon animals was imperative, particularly if there was a battle in the offing. As usual the stubby little 12-pound bronze mountain-howitzers were late getting into camp. These stolid looking toy cannon with their four-foot barrels and four-inch bores had looked impressive as they sat on their wheeled carriages, frowning down on the flat mud roofs of Santa Fe, but now their value was questionable. Two out of an assorted battery of sixteen pieces of ordnance which had started from Fort Leavenworth were with Kearny. The howitzers had been cast by Cyrus Alger and Company of Boston and the initials "C.A. & Co. Boston" stood out plainly upon the trunnions, as did the "U.S." stamped into the breech of the barrel near the copper-lined touch hole.[2] With these sawed-off cannon Kearny hoped to impress the enemy, when and if he met him. But so far on the long 800-mile trek from Santa Fe the guns had proved to be a nuisance. The carriages were cracked and broken. The long desert miles, the rocky cañons leading to the San Pedro and the Gila rivers, had taken their toll of the woodwork and the wheels. The guns were lashed to their mounts with strips of rawhide and could not be elevated. Thongs of the same material were bound around the wheels. In short, the weapons were useless, but being government property they could not be abandoned, not, at least, by a martinet like Kearny. Colonel Frémont had left a cannon of this same type in the mountains far to the north when he crossed into California in 1842,[3] and oddly enough he had obtained the howitzer from Kearny, who was at that time in command of the Third Military Department with headquarters at St. Louis.

On this night of November 22nd, the howitzers as usual creaked and jounced into camp long after dark. As soon as the light had faded from the western sky, preparations were made to descend upon the enemy. General Kearny said he must know the strength of the Mexicans who, he supposed, were forces under Gen. José Castro. Earlier the same evening a mounted Mexican had been observed spying upon the camp from a nearby hill, but he had disappeared before he could be captured. Kearny was nervous and with very good cause. Lieut. Thomas C. Hammond, the officer in charge of the howitzers, had reported seeing bright fires on the opposite bank of the

Gila at a distance of about five miles. Accordingly Lieut. William Hemsley Emory was ordered forward to scout the enemy and make a report.[4]

With his party and fifteen dragoons Emory beat about in the mesquite until he struck a slough of the Gila. Here were some tall willows, and a sergeant climbed one of them to spy on the enemy. He heard horses, hundreds of them. In describing the man's excitement, Emory says that he "slipped down the tree much faster than he climbed it, quite enchanted with the hope of exchanging his weary mule for a charger. Instead of reporting what he had seen, he exclaimed, 'Yes, sir, there are enough for us all.' 'Did you see the fires?' 'No! but they are all on horses; I heard them neighing, and they cover much ground.' "

However, as General Kearny wanted to know how many men were in front of them, the small detachment proceeded stealthily through the mesquites under the cover of the desert night. Suddenly a large fire blazed up ahead. Lieutenant Emory and two dragoons, Maurice Londeau and a man by the name of Martínez, worked cautiously forward until they were within a few feet of the fire where stood an armed Mexican. Emory sent his two men in to pose as trappers. The conference was short. It developed that these Mexicans were not members of Castro's army. They said they were a party of men en route with a herd of 500 horses destined for Castro's army in Sonora. Emory took four of the principal Mexicans back to camp, where they were questioned separately and all told different stories concerning the ownership of the horses and their ultimate destination.

The truth of the matter was this:

While Andrés Pico and his men were riding to San Diego to take up positions best adapted for the successful harassment of the Americans in that town, Don Antonio Franco Coronel, who had been appointed a sort of quartermaster officer for the forces around Los Angeles, was ordered by Gen. José María Flores to go to Sonora to ask for help from the officials in that state.[5] Accordingly he assembled a small force of two soldiers, three personal servants, a caballada of one hundred horses for remounts and set out posthaste on his mission. With him was a Sonoran, Felipe Castillo, who knew the road across the desert to Sonora. Shortly before Coronel started, a small party of Sonorans, who had appropriated a herd of horses entrusted to them by the Californians, had started across country for Sonora, hoping to dispose of their loot in that area.

Coronel took the inland route which went through Warner's Ranch. When he arrived there he heard a rumor that a party of Americans had set out from San Diego to intercept him. It was also rumored that the Americans had been advised of his plans by Miguel Pryor, an ex-trapper who had been one of the foreigners in Lieut. Archibald H. Gillespie's force, held captive in Los Angeles by Flores late in September. Coronel proceeded cautiously but with haste. He arrived at a famous watering place on the California-Sonora trail known as Algodones, which is still a sleepy little Mexican town on the border a few miles west of Yuma. At this place he was advised by some friendly Yumas that a great many Americanos were encamped on the east bank of the Colorado river.

Coronel somewhat doubted this report, but, to play safe, he sent forward Castillo, who made his way through the sand hills to the thickets along the Colorado. There he fell in with the Sonora horse thieves, who, thinking Coronel had been sent in pursuit of them, assured Castillo that the report was true and that if Coronel persisted in going on to Sonora he would be captured by the gringo soldiers.

On this same day Capitán Charague, the Yuma leader, sent an official warning to Coronel, reiterating the dangers and affirming the report that a great many Americanos were on the river and seemingly had every intention of crossing it. Coronel was in a quandary; his dispatches must get through, so he decided to entrust them all to Castillo, reasoning that since the aspect of the desert was forbidding, the route off the beaten track, with water holes so far apart and an unknown force of enemy soldiers camping across the Sonora trail, one man who knew the country would have better chances of getting through than a small party with a herd of loose live stock.

The upshot of it was that Castillo took the papers, wedged a couple of bottles of vino into his saddle bags and crossed the river. This was on the 23rd of November, the day after the four horse thieves had been apprehended by Emory.

Shortly after sunrise on the morning of the 23rd, Lieut. W. H. Warner of the Topographical Engineers, and J. M. Stanley,[6] the artist-draughtsman of the expedition, left the American camp and went to scout the land in the direction of the junction of the Gila and Colorado rivers, distant about a mile and a half to the north of the camp. It was a blustery day with the wind sweeping down from the north and blasting great clouds of sand before it. They made their observations, started back, and en route fell in with the luckless Castillo. Naturally the Americans were suspicious of a person who seemed set for a long ride, and they took him into camp. He advanced all sorts of polite excuses for not accompanying them. He was looking for some lost horses. Would the señores like to see a poor but honest caballero lose all his extra mounts? Would they not let him go for a short time until he had rounded up the runaway animals; then he, Felipe Castillo, would return? Unfortunately the Americanos were a hard-bitten suspicious lot. They would not hear of their guest departing without a word with el general. So, protesting, Castillo went along.

In camp, the Americans examined the saddle bags and found the dispatches and the letters asking for aid.[7] From the correspondence Kearny learned that a counter revolution had taken place in California. The Americans had been expelled from Santa Barbara, Pueblo de Los Angeles and other places. The Alcalde Louis Robideaux (Robidoux, etc., variants) of Los Angeles, brother of Kearny's guide, Antoine Robideaux, was in prison; "the detestable Anglo-Yankee yoke" had been thrown off.

Vivan los Californios!

The defeat of Gillespie and the frustration of the abortive attempt of Captain William Mervine and his Colt's Rifle Men and blue jackets to retake Los Angeles were described in minute detail. The latter action was doubted by the Americans, but even as they read the dispatches Kearny and his men knew that something serious was happening on the coast, not at all in accord with Kit Carson's confident assertion that the Californians would never fight.

From Castillo, Kearny also learned that the horses which he, Kearny, had detained were those belonging to the Californians and so could be deemed legitimate booty. Captain Benjamin D. Moore was ordered to remount his men from the herd.

Nothing that the Americans could say or do would shake the story of Castillo and the other captives. California was up in arms and if the rash gringos persisted in marching to the coast they were but going to their deaths. All of which had no effect whatsoever upon the Americans except to make them more impatient to continue the journey and engage the enemy.

Castillo, much to his amazement, was handed back his dispatches, all neatly resealed and he was released.

In the meantime the dragoons were having a grim kind of circus, cutting out fresh mounts from the herd of wild untamed California broncos, for they were determined to get into the saddle once more. Many of them had been on foot for some four or five hundred miles, marching through a country which, as Moore had said a few days earlier, was so miserable that they all "deserved a good trouncing" for ever coming into it.[8]

Eventually, however, in spite of tumbles in the dust, the foot-sore dragoons managed to subdue and mount their animals, much to the amazement of some of the Californians. Captain Abraham R. Johnston reported that one old Mexican said: "Why those fellows can ride as well as us, if they had good horses; they are not a bit afraid." The horse thieves were equally amazed when they were paid for their animals at the rate of about twelve dollars a head.[9]

On the night of the 24th, after a tiring day of breaking their new mounts, the troops camped on a sand bar among the willows on the east bank of the Colorado. What were their thoughts as they sat by their mesquite-wood camp fires facing the sullen, roily expanse of the Colorado, which at this point was about 1500 feet wide?

Behind them lay over 1600 miles of rough terrain which they had crossed in all kinds of weather, much of it on foot. Ahead of them stretched an unknown land. Carson had warned them of the harshness of the desert, without water or feed for their horses and mules. Beyond the desert, some place, was the enemy. What were his numbers? Where would he make his last stand?

Probably, as all soldiers have done when facing dangers of this sort, their thoughts drifted homeward. There was Lieutenant Thomas Hammond,[10] the incurably romantic, who had been married on horseback high on a hill top. No doubt he was thinking of his wife and his "angel baby," born a few short months before, of whom he had raved when in his cups in Santa Fe just two months past, much to the embarrassment of his genial, naïve young hostess, Susan Shelby Magoffin.[11]

Sergeant John Cox of C Company,[12] too, was a newly wed, and he had left his bride of but a few days when he took up the march westward. What were his thoughts that night?

Many no doubt did very little thinking of the morrow. They were dog-tired after a hard day's work. They were hungry. Their feet were blistered from the heavy boots and the deep sand; others had no shoes at all and left bloody footprints along the way.

On the morning of November 25th they crossed the Colorado. It was at low ebb. The ford was only about four feet deep in the shallows, but let a horse stray to one side, or the other, and man and beast were soon floundering.[13] The mules objected to the cold water but the outfit crossed without mishap. At last the entire detachment stood on the California side. Beyond the river bottom loomed hills of shifting white sand, "a floating mass like snow drift," as Captain Johnston himself expressed it. The troops forged through the willows and mesquites, which were thicker on the west bank than on the eastern, for a distance of some ten miles, riding south, parallel with the sand dunes and camped at night fall beside a scanty pool of water.

That night the men cut grass for their mounts and packed the saddle bags with mesquite beans. At half past six on the morning of the 26th the sun found the detachment in the saddle and heading out into the desert, jornada tired, hungry and thirsty. They rode some twenty-three miles, hoping to find a well capable of supplying the command with enough water to carry them through the arid stretch that lay ahead. They found a small one dug in the sand,[14] but "the prospect of watering 250 animals and 150 men at the well was gloomy enough; and it was necessary to decide whether to halt here, or run the risk, or [and?] go on without water for 60 miles—the command having been 30 hours without water." So wrote Captain Johnston, Kearny's aide-de-camp.

All night the men labored to water their horses from the shallow well, taking out 800-1000 four-gallon buckets full. Some of the Californian horses would not drink from buckets, so the receptacles had to be buried in the sand and mesquite beans floated on the surface to simulate pools. The only forage was these mesquite beans which the animals ate greedily.[15]

All that day their route had been along the dunes, and at the southern end they had crossed through the sand to the open graveled plain with occasional patches of grass on which they let the horses graze for an hour.

This march was on the 26th and 27th. On the latter, about eight o'clock in the evening, they saw a lake. The Mexicans had warned them that it was salty and bitter, unfit for man or beast, but the trail-weary troopers hoped that the Mexicans were lying. They soon discovered that their erstwhile captives had been telling the truth. As the late comers straggled into camp they rushed to the stinking water and threw themselves down to drink, only to find it as salt as the ocean.[16]

They were now well out on the desert and over half way to the mountains that rimmed the western horizon. Their route had taken them along the southern edge of what is now the Imperial Valley and thence north, passing a little west of where El Centro now stands.[17] Emory observed that: "At the point where we left the sand, sketches were taken of the objects by which our pilot wended his way; these may serve to guide future travellers. From this point the traveller may go directly to the gap exhibited in the sketch, nearly magnetic west, through which the trail passes [p. 102]." Unfortunately the sketch of which he speaks is not included in his report, hence we must guess at the exact route taken across the Imperial Valley to the entrance of Carrizo Wash.

A dense fog, blown in by a southwest wind from the Gulf, enveloped the desert on the morning of the 28th. The blankets were soaked with the refreshing moisture and both the animals and the men enjoyed a respite for two or three hours before the sun burned the mist away.

Now their route was plain. The straggling column of horses and men, accompanied by the snub-nosed howitzers on their creaking carriages, plodded across the last few miles of desert bottom land and ascended the sloping bench of the ancient inland sea, the beach of which was (and still is) carpeted with thin nacreous shells that crackled brittlely under foot. Here, too, were smooth, water-worn pebbles and a harder footing. The trail wound through rounded clay buttes, carved into fantastic shapes, some of them barren, red, yellow and gray. They must have looked like the gates of hades to the starved and thirsty men.

At last the army reached Carrizo Spring. It is a large warm spring varying in temperature from 68° to 75°, highly impregnated with sulphur, sulphate of lime, magnesia and chloride of sodium. In spite of its warmth and its taste, the water was a godsend to the troopers and their animals.[18]

The forage was insufficient at Carrizo Spring, and on the morning of the 29th the dragoons were again on the march. Many of them were now down to their last slim ration[19] of food, and Major Swords,[20] the quartermaster officer, found one of his best pack mules slaughtered and the choicest bits cut from shoulders and ribs. Hungry men will eat anything, and according to the adage of the old mountain men, "meat's meat." Also slaughtered were two mares and a colt. No one knew who the miscreants were and no one tried very hard to discover their identities.

All day the dejected column plodded through the heavy sands of Carrizo Wash. Mesquite clumps and the tall, graceful ocotillo dotted the landscape. There were thickets of the needle-leaved agave and the bristling yellow-thorned cholla looking silky but venomous in the white sunlight. These thorny plants took severe toll of the ragged troopers whose legs in many instances were bare. Some of the fleshy leaves of the agave were cut and chewed as food by the men as they marched along. Scores of horses and mules, bloated by the warm waters of the Carrizo and the rushes they had eaten, fell by the way and the men had to get them on their feet and moving again. Many did not reach camp until ten that evening and yet the distance traversed was only 16 miles.

At Vallecito[21] the worn-out detachment, down to one ration per day, slumped to the ground amidst the salt grass and mesquites. Vallecito lies in a long valley with a range of rocky hills rising on the west. Eastward is another range of low, clay hills, and other peaks studded with granite. To the south and southwest rise the blue Lagunas and the pine-crested Cuyamacas. It is a pleasant oasis in an otherwise barren land. There are warm sulphurated springs, and near the old Butterfield Stage station is another spring of cool water, less impregnated with minerals than those in the bottomland.

Here they found a camp site of the Yahano Indians,[22] otherwise known as the Diegueños. These tribesmen had their villages scattered from the desert's edge to the slopes of the Cuyamaca Mountains. They were in the Lagunas and beyond the Cuyamacas to the Santa Ysabel Valley and among the huge oaks and pines of Mesa Grande. The Indians cleared out when they saw the blue-coated strangers straggling across the desert, warned no doubt by Don Antonio Coronel, who, unseen and unsuspected by Kearny, was spying upon the soldiers all across the desert. Coronel had sent his small herd of horses back to Aguanga,[23] southwest of Warner's Ranch, and at the same time he sent an Indian to General Flores advising him of the Americans' advance and asking for orders. He was ordered to remain on the job and be prepared to conduct a party of American prisoners to Mexico.

By the time Coronel reached the little Indian village of San Felipe, which is about twelve miles west of Vallecito, he became uneasy. There were rumors that the Indianada were going over to the Americanos and that all Californios would be captured and turned over to the Yanquis as prisoners. Not wishing to risk capture, Coronel decided to go to Aguanga, where, he had heard, a party of Sonorans was camped, en route to Mexico with their families. Coronel also hoped to find his father and his friend, Agustín Olvera, camped at that spot. He thereupon gave over his role as spy and set out for Aguanga, arriving there on the evening of December 3rd at eleven o'clock at night.[24]

It was bitterly cold and rain had been falling all day. He was chilled through and soaked to the skin. He went to one of the huts which butted against a brushy hill. The occupants made him welcome. He slipped out of his wet trousers and jacket and spread them before the fire and was warming himself when he heard the tramp of horses' feet. The night had turned clear and a full moon was overhead. Moving back from the fire, Coronel peered out through a crack and saw the moonlight glinting on the carbine barrels of American troopers. There was no time to be lost. He went out the back door and made for the brush, clad only in his shirt. It was none too soon. The soldiers surrounded the house. Coronel, in order to have a better view of things, climbed an aliso tree. He hoped, as soon as the soldiers had left, to slide back into the house and retrieve his clothes.

Much to his dismay, however, he saw the soldiers remove all of his personal belongings from the house. They took his documents and weapons, too. His servant, Vicente Romero, was taken prisoner, as well as the inhabitants of the house. He also saw others of his servants and two Sonorans mounted on horseback and forced to act as guides to the hidden caballada of remounts. The guide and interpreter for the Americans was an old Negro by the name of Fisher, who at one time had acted as a servant in Coronel's household. This man knew that Coronel had passed through Warner's Ranch and was in hiding at Aguanga. Coronel also feared that the Yankee troopers were going to employ Indian trackers from a nearby ranchería of Cupeño Indians, under the command of a Capitán Andrés, to track him (Coronel) to his hiding place.

Knowing that no time was to be lost, and fearing capture, Coronel set out across country in his shirt, heading for the ranchería of a friendly Indian leader, Capitán Alejo. The half-naked man traveled all night until about five o'clock in the morning when he arrived at the Indian ranchería.

All was silent in Alejo's house save for a low, monotonous song coming from the lips of Alejo as he sat beside a small fire in his brush jacal. All other members of the family were asleep. As Coronel stepped silently into the doorway, Alejo looked up in alarm and seized his bow; then, recognizing his visitor, Alejo stepped outside and motioned Coronel a short distance from the house.

"What has happened, Najalito?" he asked. (Coronel explains in his memoirs that the word najal was a term commonly employed by these Indians when speaking to an employer or a gente de razón.)

Coronel explained some of the circumstances and requested Alejo to get a horse for him. Alejo said he had none and he thought Coronel had better be gone as soon as possible, since all of the Indians of the neighborhood had declared in favor of the Americans and if they caught Coronel they would turn him in; moreover, it would also go hard with Alejo for sheltering an enemy. Even as they talked they heard horses on the trail and Coronel was forced to hide in a nearby cactus patch.

Soon a patrol of American troopers arrived and Alejo was questioned. He denied having seen Coronel; and after telling him to seize the fugitive if he appeared, they rode away.

The Indian now gave Coronel a pair of sandals, a straw sombrero and a frazada (a poor type of serape). Then the two men set off on foot for a friendly Indian ranchería near Pala where Alejo hoped to borrow a horse for Coronel. En route Coronel's feet gave out. The sand worked into the sandals and blistered his toes. Alejo tore strips from an old cotton sheet, that was wrapped around him, and bound up Coronel's feet. They arrived at the ranchería, which proved to be an acorn-gathering camp, about 4 P.M. Here Coronel was well treated. The old Indian women doctored his feet and gave him food. Alejo managed to obtain a poor bony horse, having only a jáquima for a bridle and a sheepskin for a saddle. Thus equipped Coronel set out for Temécula. When he arrived there, he found an Indian servant and a Sonoran awaiting him with messages. After getting a fresh horse, saddle and bridle and some decent clothes, the worn-out man set out for Los Angeles to make his report.

We left Kearny encamped at Vallecito, the oasis on the desert's edge, where his weary troopers and their mounts were trying to recuperate from the march over the desert. The Coronel episode had come later.

At Vallecito they held the last review of the Army of the West. A strange picture it must have presented. Here were serried rows of ragged scarecrows, mounted on steeds scarcely less fit than themselves. The men were unshaved, their hair was shaggy and their bellies empty. Their blue dragoon uniforms were dirty and torn. The uniforms of Kearny and his immediate staff were travel stained and spotted with dark grease patches obtained in far away New Mexico when they had joined in good fellowship in a religious procession in the little village of Tomé on September 8th last. Said Emory:[25] "Some American officers followed, each holding a candle. Unfortunately I emerged just as this group was passing; there was no escape, and the moment I joined a grave Mexican (apparently a man in authority) thrust a candle into my hand. I thought of my coat, my only coat, the coat which was on my back, and which must take me to California, and back again into the interior of Mexico! Suddenly there was a halt without any word of command, and in the confusion we jostled against each other and distributed the tallow in great profusion."

The ill-fated Captain Abraham Johnston, upon whose shoulder the bony fingers of death were then resting, thus described the review at Vallecito:[26]

"Our men were inspected today [November 30th]. Poor fellows! They are well nigh naked—some of them barefoot—a sorry looking set. A dandy would think that; in those swarthy sun-burnt faces, a lover of his country will see no signs of quailing. They will be ready for their hour when it comes."

One cannot help but wonder at the thoughts of Kearny, the commander-in-chief. Kearny the disciplinarian, who, during the march down the Rio Grande in September to quell a Mexican uprising that never took place, issued an order, as recollected by Col. A. W. Doniphan,[27] on the morning of the third for "... *every man to put on his coat, or he would dismiss him from the service of the country*." Since the weather was extremely hot the order "came like a clap of thunder in a clear sky." It seemed unreasonable "to the volunteers who were accustomed to think for themselves, and consult their own convenience and comfort in matters of dress." They obeyed reluctantly, all save Captain John W. Reid's company of fifty-four men from Saline, Missouri. Kearny halted at this company, which was drawn up in order awaiting marching orders. The Missourians were carelessly attired. Doniphan's account continues:

"Captain, have your men no jackets?" "Some of them have, and some of them have not." "Make your men, Captain Reid, put on their jackets, or I will dismiss them from the service—the government has paid them commutation for clothing, and expects every man to dress in a manner wholesome for military discipline."

[Captain Reid was not abashed.]

"My men, sir, came here, not to dress, but to fight the enemies of their country, and they are ever ready to be of service to you and the country in that way. As to the commutation which you say the government has paid my men for clothing, I must inform you that you misapprehend the truth. My men have never received *one dime* since they entered the service, and what money they brought from their homes with them they have already expended for bread while on half rations, owing to the neglect of your chief commissary. As to being dismissed from the service, sir, we do not fight for wages. If there is no place for us in the army, we will furnish ourselves and fight the enemy wherever we may find him. Acting thus we shall not lose the respect of our countrymen."

General Kearny bit his lip, the account says, and rode off, giving orders for the march to commence.

The author of this statement went on to say:

"General Kearny's greatest error consisted in an effort to reduce the volunteers to the same discipline, and treat them with the same rigid austerity, and dissociability, which he was wont to exercise over the regular troops under his command."

What, then, did Kearny think when he saw his "regular troops," members of Companies C and K of the First United States Dragoons, as they sat on their horses, or stood before him, without shoes and in uniforms that were in tatters?

December 1st dawned clear and chilly. The clouds that had hovered over the lofty peaks of the pine-clad old Cuyamacas, looming blue and solid on the southwestern horizon, had disappeared, leaving the mountain tops covered with a light fall of snow. The wind that swept down from those peaks cut through the men's ragged clothing to their bones.

Away from Vallecito marched the Army of the West. The bugle echoed from the hills, and even it sounded forlorn and lost. Four miles from camp the column struck Vallecito Hill,[28] a steep slope studded with boulders, a hill destined to give trouble to the United States forces well into the days of the Civil War. Here the howitzers had heavy going. Once over the hill the road traversed a narrow valley filled with mesquites, creosote bushes and the ever present agave. Four miles beyond the hill, the trail turned abruptly to the north.

It threaded through a narrow rocky cañon, so narrow that the howitzers navigated it with difficulty and the horses and mules stumbled and fell over the sharp rocks. Said Johnston, "impassable without work, for wagons." This was the famous Box Cañon through which Colonel Philip St. George Cooke and his Mormon Battalion smashed their way the following month, with axes and crowbars,[29] and even then had to take their wagons to pieces and pack them piecemeal over the worst spots. Today that cañon is still narrow, though it was widened during the days when horse-drawn stages rattled along the Butterfield Trail and subsequently, when long trains of white-topped supply wagons traveled the route during the Civil War; but, even so, it is a rugged bit of road and now it has been abandoned as a thoroughfare, while the modern road winds down the hill to the west of the cañon.

In the San Felipe Valley at an abandoned Indian village, eighteen miles from Vallecito, the dragoons arrived on the night of December 1st. On December 2nd they took up the march for Warner's Ranch, their route passing a trifle south of the modern highway but parallel to it. They ascended the slope leading to the divide, and emerged from the desert into the fertile valley of Buenavista, otherwise known as Warner's Ranch.[30] Gone were the cactus and the junipers, the agave and the mesquites. In their place were huge live oaks, growing among the grass and shrubs which clothe the high, rolling hills and valley lands of the back country in San Diego County. Tall pines grew upon the higher crests. The air was cooler.

The first stop was made at Warner's Ranch. The old house[31] is some three miles east of the hot springs for which the ranch is famous. Here, Juan Largo Warner (Long John), to give his Californian nickname, was living in a two-room adobe house with a thatched roof. There appears to be some discrepancy in the stories told by the various diarists of Kearny's march as to the actual location of the building known today as Warner's old residence.

Dr. Griffin states in his entry for Dec. 3d:

"This place of Warners is called the Aqua Calliente, there is a boiling spring heads just above Warner's house—it is a bold stream, there is a strong smell of sulphureted hydrogen, and where we are encamped there is a fine spring of cool, sweet water—this furnishes sufficient for stock & I suppose for irrigating the soil—The Ranch is some three miles distant from Warners house:[32] about the house there is some ten or fifteen acres under cultivation, about one acre and a half of which is a vineyard."

Emory says:[33]

"Our camp was pitched on the road to the Pueblo, leading a little north of west. To the south, down the valley of the Aqua Caliente, lay the road to San Diego. Above us was Mr. Warner's backwoods, American looking house, built of adobe and covered with a thatched roof. . . .

"Near the house is the source of the Aqua Caliente, a magnificent hot spring, of the temperature of 137° Fahrenheit, discharging from the fissure of a granite rock a large volume of water, which, for a long distance down, charges the air with the fumes of sulphuretted hydrogen. Above it, and draining down the same valley, is a cold spring of the temperature of 45°, and without the aid of any mechanical instrument, the cold and warm water may be commingled to suit the temperature of the bather.

"The Indians have made pools for bathing. They huddle around the basin of the spring to catch the genial warmth of its vapors, and in cold nights will immerse themselves to keep warm. A day will come, no doubt, when the invalid and pleasure seeking portion of the white race, will assemble here to drink and bathe in these waters, ramble over the hills which surround it on all sides, and sit under the shade of the great live oaks that grow in the valley."

These were prophetic words and could the writer drop in now on the springs he would scarcely recognize the place. Gone are the old Indian made pools. The rude thatched huts of the Cupeño Indians are now white-washed, modernized adobes for "the invalid and pleasure seeking portion of the white race." A huge swimming pool accommodates the guests and the paved highway to Los Angeles swings past the spot where Kearny and his ragged companions relaxed for a few brief hours one hundred years ago.

Captain Johnston's account runs as follows:

"We found Warner's a place which would be considered a poor location in the United States, with a hot spring and a cold one on his place; a good place for stock, but bad for grain, one would think. . . . We encamped a quarter of a mile west of the warm spring."[34]

It would seem, then, that Kearny's troopers camped in the flat below the hot springs, not far from Warner's residence at the Agua Caliente, and not at the adobe three miles east of the springs. There is certainly no hot spring "just above Warner's house," as described by Dr. Griffin or Lieutenant Emory.

Warner's Ranch was a godsend to the dragoons. Here they had their first square meal in many days. Bill Marshall, the deserter from the *Hopewell*, who was later hung as the renegade white leader of the Garra uprising in 1851, was in charge of Warner's establishment when Kearny's forces arrived.[35] "Long John" Warner, himself, was a prisoner of the Americans in San Diego, having been detained there upon the suspicion that he was more favorably inclined towards the Californios than his own countrymen.

(To be continued)

GLOSSARY

bota, small leather wine bag; large cowhide bag for tallow; leather legging
caballada, a number of horses
calzoneras, long trousers buttoned down both sides
frazada, blanket of rather poor quality
gente de razón, white persons in distinction to Indians
jacal, Indian hut, wigwam
jáquima, headstall of a halter
jornada, journey performed in one day
joven, youth
paisano, countryman (as opposed to the military)
reata, rope used in catching loose stock or for tying one animal (horse or mule) to another, to make them go in straight line
scrape, narrow blanket worn by men or thrown over saddle

NOTES

1. William Hemsley Emory, *Notes of a Military Reconnoissance from Fort Leavenworth in Missouri to San Diego, California*, 30th Cong., 1st sess., H. Exec. Doc. 41 (Washington, D. C., 1848), pp. 93-94.

2. Henry L. Scott, *Military Dictionary* (New York, 1864), p. 426. This official description of the howitzer gives a maximum range of 1000 yards for the weapon. Although the pieces are normally described as being made of brass, they are actually made of bronze.

The howitzer lost by Frémont in 1842 was recovered in 1859 by two miners who found the abandoned cannon near Genoa, Carson Valley, Nev. It was formally reclaimed for government service in the Civil War, and now, after many years in seclusion, is on display in the Nevada Museum and Art Institute, Carson City.

The howitzer lost by Kearny at San Pascual was later obtained by Frémont through the terms of the capitulation of Cahuenga, January 13, 1847. In the famous Frémont court-martial case, this piece was one of the bones of contention between Kearny and Frémont, and the howitzer Frémont had lost on January 29, 1844, likewise entered into the controversy. (See John Bigelow, *Memoir of the Life and Public Services of John Charles Frémont* [New York, 1856], pp. 311-14; Bancroft, *History of California* [San Francisco, 1884-1890], V, 446, note 16.)

3. John C. Frémont, *Report of the Exploring Expedition to the Rocky Mountains in the Year 1842 and to Oregon and North California in the Years 1843-44* (Washington, 1845), p. 226.

4. Emory, *op. cit.*, pp. 94-95.

5. Antonio Franco Coronel, "Cosas de California" (manuscript in Bancroft library; dictation to Thomas Savage at Los Angeles, 1877), pp. 95-97.

6. John Mix Stanley was born at Canandiagua, N. Y., in 1814. He was orphaned at the age of 14 and was apprenticed to a wagon maker at Naples, N. Y. His boyhood was spent there and around Buffalo, N. Y. In 1834 he went to Detroit where he began his painting career. He soon became interested in painting Indians and visited the frontier at various points in Minnesota, Arkansas, and New Mexico with this in view. For the greater part of 1845 he was in New Mexico. By 1846 he had painted 83 canvases, enough to hold an exhibition of his work in Cincinnati and St. Louis. During the same period he painted portraits of Keokuk and Black Hawk, chiefs of the Sauk and Fox tribes. He joined Kearny's expedition at Santa Fe in October 1846. Stanley was under the direct orders of Lieut. Emory as draughtsman. On this expedition he lost all of his personal belongings but saved his sketches, canvas and paints. After the war he went to Oregon where he narrowly missed being killed in the Whitman massacre. He visited the Ha-

waiian Islands in 1848, where he painted the portraits of King Kamehameha III and his queen.

Stanley continued to paint Indian subjects during the 1850's and 1860's; but his collection of 151 pictures, which had been placed in the Smithsonian Institution, was nearly all destroyed by fire in 1865, only five being saved. Stanley died at Detroit, April 10, 1872. David I. Bushnell, Jr., "John Mix Stanley, Artist-Explorer," *Annual Report,* Smithsonian Institution, 1924, pp. 507-12; see also F. W. Hodge, "A Proposed Indian Portfolio by John Mix Stanley," *Indian Notes,* VI (October 1929), pp. 359-67; and B. P. Draper, "John Mix Stanley, Pioneer Painter," *Antiques* (March 1942), pp. 180-82.

7. Emory, *op. cit.,* p. 96.

8. John Struther Griffin, *A Doctor Comes to California, Diary 1846-1847,* edited by George Walcott Ames, Jr., with foreword by George D. Lyman, M.D. (San Francisco: California Historical Soc., Spec. Pub. 18, 1943), p. 37. Dr. Griffin was a native of Virginia. He was left an orphan at an early age and was reared by a maternal uncle in Louisville, Ky. In 1837 he was graduated as an M.D. from the Medical Department of the University of Pennsylvania at Philadelphia, and practiced medicine in Louisville until 1840, when he entered the U. S. Army as assistant surgeon. At the commencement of the Mexican War, Dr. Griffin was attached to Kearny's command with the rank of captain. He served all during the Mexican War in California, and in 1853 was ordered east for duty in Washington, D. C. He remained there until 1854, when he resigned his commission and returned to private practice in Los Angeles, where he became one of the solid citizens of the community. Dr. Griffin acquired a large tract of land (now known as Lincoln Heights), and was one of the original incorporators, as well as a stockholder and director, of the Los Angeles City Water Company and the Farmers and Merchants National Bank. George L. Cole, M.D., *Medical Associates of My Early Days in Los Angeles* (Los Angeles, 1930), pp. 5-7; also *A Doctor Comes to California,* as above.

9. Quotations, here and elsewhere, from Capt. A. R. Johnston, are taken from pp. 609-10 of his "Journal," in 30th Cong., 1st sess., H. Exec. Doc. 41 (Washington, D.C., 1848). See also Griffin, *op. cit.,* p. 38.

10. Thomas C. Hammond was born in Pennsylvania and entered West Point from that state on July 1, 1837. He graduated and was brevetted a 2nd lieutenant. On March 6, 1843, he transferred to the 1st Dragoons. Judge Benjamin Hayes, who knew Hammond well, spoke of him as an amiable, high-toned youth with a romantic flair for doing the spectacular, such as getting married on horseback on a high Kansas hill, which, in the more or less staid age of the 1840's, when men's lives were fairly conventional, was no doubt deemed the height of audacity. Francis Heitman, *Historical Register and Dictionary of the United States Army, 1789-1903* (Washington, D. C., 1903), I, 496.

11. Susan Shelby Magoffin, *Down the Santa Fe Trail and into Mexico, Diary, 1846-1847,* edited by Stella Drumm (New Haven: Yale University Press, 1926).

Mrs. Magoffin was en route to Mexico with her husband, trader Samuel Magoffin, brother of James Magoffin, who paved the way for Kearny's bloodless entry into New Mexico in August of 1846. Mrs. Magoffin entertained Kearny's officers in Santa Fe, and her comments are both amusing and enlightening as to the personal habits of some of the men as seen through a contemporary's eyes. Under her entry of September 24 she says: "Lieuts. [W.H.] Warner & [T.C.] Hammond called since tea to bid us good bye, they are of the Calafornia [*sic*] expedition. The latter, (I do not mean to slander him at all) has taken a little more of 'the ingredient' than he can well bear. He constantly talked of the American women, *their strict virtue. . . .* Said his was a run away match, and they 'were married *on horse back on top of a very high hill.*' Talked of his 'angel baby,' then flew off to the War, and almost went off into extacies on the subject; he is all eagerness for a fight, and says he has done all in his power to provoke one. And then he commenced eulogizing every body. . . . How he happened to be in such a *fix* tonight, is strange, for he is a most perfect gentleman when *sober*." (pp. 145-46.)

She also made comments on other officers of Kearny's staff, whom she saw at the dance on the night of the 10th of September: ". . . circling giddily through the dance, Cpt.M. of Dragoons [Benjamin D. Moore of the First Dragoons]; if necessary we can be sure of at least one person to testify to the 'virtues or vices' of what has been graphically called 'the ingredient'." (pp. 121-22.)

Captain Henry Smith Turner was, in her estimation, "a gentleman of extensive information; exceedingly polite, endeavors to make himself agreeable and to interest the company with his interesting narrations; he spent a year in France, and has traveled in Prussia—his conversation is both interesting and improving to his hearers. . . . Mrs. Turner is a niece of one of the Lexingtonians, Mr. John W. Hunt." (pp. 125-26.)

Captain Abraham Johnston did not acquit himself too well as a conversationalist when he called upon Susan on the evening of the 15th; said she, "and not to be too severe a critic, I shall only say I think I have had some more talkative, interesting and agreeable visitors." (p. 131.) Later, when Johnston, Turner, and Major M. L. Clark called upon her to say good bye, she remarked: "Three more gentlemanly, polite and intelligent men have not entered our house in Santa Fé." (p. 146.)

Even General Kearny succumbed to the charm of the young lady from Kentucky. He called upon her several times with members of his staff. The general promised to select a home site for her in California; regaled her with stories of his reception in the small village of Tomé on the Rio Grande, "how he paraded through some little village in the priests procession, carrying as did all his officers a lighted candle lightening the train of the Virgin Mary. . . . He told of his fine feasts, the balls, Indian sham battles etc." (pp. 129-30.)

Mrs. Magoffin also went on a personally escorted tour of the American camp, accompanied by the general mounted on his "splendid bay charger." She inspected the artillery "arranged in two rows on one side of an outer street—from this we wound our way along by the barracks, formerly for [Manuel] Armijos troops, where a small party of soldiers were engaged, as the Gen. passed they all touched their beavers with profoundest respect, while he kindly returned the salute." After looking over the new walls of Fort Marcy, then unfinished, they returned to the house where, "The Gen. came in and sat half an hour with us. . . ." (pp. 140-42.)

12. Sergeant John Cox, according to Emory *(op. cit.*, p. 111), was "a gallant fellow, who had, just before leaving Fort Leavenworth, married a pretty wife."

13. Emory, *op. cit.*, p. 99: "At the ford, the Colorado is 1,500 feet wide, and flows at the rate of a mile and a half per hour. Its greatest depth in the channel, at the ford where we crossed, is four feet. The banks are low, not more than four feet high, and, judging from indications, sometimes, though not frequently, overflowed. . . . The ford is narrow and circuitous, and a few feet to the right or left sets a horse afloat. This happened to my own horse."

14. This was the well at the spot termed by Emory the Alamo. It was known as the Alamo Mocho (stunted cottonwood) and consisted of a large hole with little water. An old champagne basket, used by one of the officers as a pannier, was lowered into the well to prevent the walls from caving in. This did not suffice, and a rude lining of woven willow boughs was made, through which the water "15 or 20 feet below the surface" seeped and enabled the men to hoist it out in a camp kettle (pp. 100-101.) In later days the well was used by emigrants and stages. The site of this water hole was south and east of the present town of Mexicali, in Mexico.

15. Mesquite beans were the staff of life to the desert Indians. They have a high sugar content and consequently are very nutritious.

16. This alkaline body of water was later known as the Big Laguna and lay a few miles northwest of Calexico. At that time, according to Emory, it was a "thick soapy quagmire." (p. 102.)

17. The route taken by Kearny and his troops across the desert was for the most part through what is now Mexico. They turned north at New River slough at the point where Mexicali now stands and followed a northwesterly direction, crossing the highway between Seeley and Dixieland. Thence they followed along the route approximating the road that leads across the desert and climbs the sloping shell-littered beachline of Blake's Sea from Plaster City to the mouth of Carrizo Wash.

18. Carrizo Spring is still about the same as when Kearny and his men saw it. The water is surrounded by a sward of crisp salt grass, and about twenty-five years ago a squatter at the spring built a small dam which formed a clear pool. This attracted wild ducks and supplied the temporary resident at the spring with fresh meat. In the late 1850's the Butterfield Overland Mail had an adobe stage station at Carrizo Creek. In May 1858 the station keeper, William Mailland, murdered the Indian woman with whom he was living, during a fit of *delirium tremens*. He escaped into Sonora, while the body of the unfortunate woman was buried in the rear of the house. (Sacramento *Union*, June 16, 1858.) At the present time, the old stage station is a mound of melted adobe, and the desert is as wild as when the dragoons marched through it.

19. At Carrizo Creek on November 28th, Dr. Griffin *(op. cit.*, pp. 39-40) related that his mess had eaten a "canister" of potted meat, a cup of tea and a brandy toddy. Then he drank pinole with Kit Carson, ate again with Capt. Moore, and continued to drink tea and water until he could stand no more. Many of the messes had only a little bread made with salt, flour and water, or a handful of boiled beans and corn, "with not even enough meat to grease it." The general himself was among those reduced to the latter diet.

20. Thomas Swords was from New York state. He became a cadet at West Point on July 1, 1825. Early in his career he showed signs of promise and promotions were rapid. He became a captain in the Quartermaster Corps in 1838 and a major in April 1846. Swords remained in the army and served all through the Civil War. Eventually he rose to be a major general and died March 20, 1886. Heitman, *op. cit.*, p. 941.

21. Vallecito has long been a well-known stopping place for travelers using the desert route in and out of southern California. It was an old camping ground of the Yahanos or Diegueño Indians. After 1846 it was a favorite resting place for all inbound and outbound traffic. Lieut. Cave Couts halted at Vallecito in 1848, bound for the Colorado River. In 1851, during the Garra insurrection (see Note 35, below), Vallecito became a small military depot. An adobe building was erected and from this time on there was always some sort of a structure near the springs. In 1858, when the Butterfield Overland Mail began operating through the desert, a stage station was built which incorporated the older adobe building once occupied by James Lassitor, later murdered in Arizona. See Note 28, below.

22. Judge Benjamin Hayes, "Notes on the Indians of San Diego County," with notes by Arthur Woodward, *The Masterkey*, VIII (September 1934), pp. 140-50.

23. Aguanga is a few miles southwest of Warner's Ranch on the inland route to Los Angeles. It is in Luiseño Indian territory. A stage station was maintained there during the late 1850's and early 1860's. At present the site is owned by Harry Bergman.

24. Coronel, *op. cit.*

25. Emory, *op. cit.*, p. 42. See also Magoffin in Note 11, above, for Kearny's account of the incident.

26. Johnston, *op. cit.*, p. 612.

27. William E. Connelley, *Doniphan's Expedition* (Kansas City, 1907), pp. 223-26.

28. Arthur Woodward, "Oasis at Vallecito," *The Desert Magazine* (March 1942), pp. 22-26. See also *Cooke's Journal*, Southwest Historical Series (Glendale: Arthur H. Clarke Co., 1938), VII, pp. 218-22. (Account of Vallecito and Vallecito Hill.)

29. Cooke, *op. cit.*, pp. 222-23.

30. Joseph J. Hill, *The History of Warner's Ranch and its Environs* (Los Angeles, 1927), pp. 108-111. Jonathan Trumbull Warner's other California name was Juan José Warner .

31. The ranch house in its original state was 40 feet long and 21 feet wide, and was divided into two rooms. In later years six more rooms were added. The old building has served as a ranch house for the George Sawday Cattle Co. for many years.

32. This reference must pertain to the present adobe known as Warner's ranch house, which is approximately three miles from the springs. See Note 31, above.

33. Emory, *op. cit.*, pp. 105-106.

34. Johnston, *op. cit.*, pp. 613-14. He wrote but two more entries in his journal after this one.

35. Bill Marshall was living with the Indians at Warner's and acting as storekeeper. He incited the Cupeños to a revolt and was co-partner in this crime with Antonio Garra, Sr., in 1851. He was hung for his part in the rebellion, and not for any participation in the Pauma massacre which occurred in December 1846. Both Marshall and Garra were tried and executed for their crimes in San Diego.

The Last Will of Pedro de Alvarado

By Henry R. Wagner

IT IS generally known that when Pedro de Alvarado died in Nuevo Jalisco about July 4, 1541, he left more debts than enough property to pay them. It is not, however, so well known that he left a will or rather directions to Bishop Francisco Marroquín to make one for him. This the bishop did in Guatemala on June 30, 1542. Alvarado was very penitent when he gave these directions to the bishop and left much money to found chaplaincies and some for their maintenance. He also directed a chapel to be erected in the cathedral with the advocacy of San Pedro. He liberated all the slaves on one of his encomiendas, and freed the Indians in his gold mines and directed that they continue to extract gold to pay his debts. He left many illegitimate mestizo children, some of whom the bishop named: don Pedro, don Gómez, then on the Isla Tercera, and doña Inez, a young child in Santiago. As these were poor, after the Indians had paid Pedro's debts they were to work from October 1 to June 24, the proceeds to go equally to the children. Strangely enough no mention in the will of Leonor, his daughter by Luisa, the Tlaxcalteca Indian, can be found.

Pedro de Alvarado's will is long and the bishop made many other dispositions which it is not necessary to notice, beyond his arrangements for the children. Besides the children previously mentioned, he left 500 pesos to don Pedro and don Diego and 300 pesos to Juan de Alvarado, the encomendero of Tiripitio in New Spain, who was a joint executor of the will with Marroquín. He also allotted to Francisco de Molina 300 pesos and to the widow of Valdelomar 100 pesos. He left 300 pesos to the mother of don Gómez, who was on the Isla de Tercera, and left money to a number of his employees.

The most interesting part of the will consists in the part about the fleet which Alvarado took to Navidad in 1540. "Inasmuch as the said adelantado took for his fleet from Juan Rodríguez [Cabrillo], a citizen of this city, a ship which he had on the coast of the South Sea and did not pay for it, I order that there shall be paid to said Juan Rodríguez from the effects of the adelantado the value of the ship when the adelantado took it, to be ascertained from persons who saw it and who shall assess the value of it. Besides, he shall be paid for his personal services according to proofs which he may present.

"I also say that inasmuch as at the time that the adelantado formed a fleet for the discoveries in the South Sea, Antonio Diosdado, a citizen of this city now deceased, gave to the adelantado a galleon of his for which he did not pay, I order that two people who saw the said galleon at the time the adelantado took it shall be called and what they swear it was worth at that time shall be paid from the effects of the adelantado. I also say that at that time Santos de Figueroa gave to the adelantado the part which he had in a ship in company with Cisneros and Alvaro de Paz, and he paid no part of it." Remesal then makes a statement that notwithstanding the amount which the adelantado seemed to have according to this will he owed still more, and, when the accounts with his creditors were adjusted, the gold, silver, pearls, and riches which he had acquired in his conquests, the jewels of his house, his slaves, and the whole fleet of ten ships which he took with him, the greatest and best up to that time and for many years afterward that navigated the South Sea, were not sufficient to satisfy them. So great were the debts which appeared after his death that besides the small ones of twenty pesos, which the bishop ordered to be paid on the oath of the persons who asked for them, and besides the great amount which the royal official demanded on account of the quintos and the other sums which the adelantado owed the king, Remesal says that he saw in the possession of the secretary a very large parcel in which there were more than forty proofs of persons that the adelantado owed them property and money. The greater number were in large amounts and of the lesser ones no one amounted to less than 400 tostones. Having divided the plate among certain creditors there was very little with which to satisfy the rest because the fleet was entirely lost, some eaten with worms and others scattered through different ports, as they were when the adelantado died. The slaves in the mines did not take out any more gold because the conscience of the holy bishop would not allow it.

The encomiendas which were numerous and in almost every part of Guatemala were taken over by the audiencia with the intention of using the rents, tributes and services for the benefit of the public works of the city, for the cathedral, for opening roads and building bridges, and to aid private persons who were unable to rebuild the houses which the earthquake had destroyed. In spite of these provisions the emperor ordered all the Indians in towns which had belonged to Alvarado, his wife and children, to be incorporated in the crown by an order of October 10, 1542.

We may recall that in my *Juan Rodríguez Cabrillo*, in describing this expedition of Alvarado, I mentioned the names of several of the vessels: *Figueroa*, *Juan Rodríguez* and *Diosdado*, which now appear to have been the names of the individuals who owned them. We may also refer to the testimony of Lázaro de Cárdenas and Francisco de Vargas that Cabrillo owned one of the ships in Alvarado's fleet. This statement is now satisfactorily confirmed by Alvarado's will. The will was printed by Fray Antonio de Remesal in his *Historia General de las Indias Occidentales y Particular de la Gobernación de Chiapa y Guatemala.* Guatemala, 1932, Second edition, Tomo I, 261 *et seq.*

Santa Barbara County Between Two Social Orders

By Walter C. McKain, Jr., *and* Sara Miles

THE original house-to-house records or "schedules,"[1] completed by enumerators in taking the 1850, 1860, and 1870 U. S. censuses in California, have been placed on microfilm,* and in this form they can readily be used by students. Information on individuals from the censuses of 1900 and subsequent decennial years is held confidential within the discretion of the Director of the Bureau, a special provision being that in no case can it be used to the detriment of an individual. The 1890 census reports were almost totally destroyed by fire,[2] but the 1880 schedules are sometimes placed at the disposal of responsible persons and agencies.

Official records, and diaries, letters, newspapers, and reminiscences furnish insight into past events but they must be used with caution, and generalizations based on them are risky. An examination of original census records, however, may give substance to former speculation, thus permitting a degree of accuracy in inference denied heretofore. Also, historians will find census records helpful in analyzing the relative significance of trends that have been determined by other means.

Another use students may find for census records is worthy of mention, although it was not tested in preparing the present paper: individuals and families may be traced through a complete life cycle by analyzing census schedules for successive decades, and by this means make possible an estimate of the amount of social change, if any, that has been taking place. The cross-sectional approach to a single census obviously cannot yield case-histories.

Method of Analysis

It was decided to test the use that could be made of original census schedules by selecting one county and analyzing its 1870 population. Santa Barbara County was chosen for study. In 1870 it embraced approximately its present area and the area now known as Ventura County.

A 12.5 per cent sample of the families in each of its three townships was drawn. Most of the information contained on the census schedule for each family was transcribed for the sample families. Additional readings were made for other families in the 1860 and 1870 census records. The latter were used for checking purposes and were not analyzed statistically.

The usual statistical sorts were employed, making possible a skeletal outline of the population distribution and composition in the county. In addition a modified case-grouping technique was used and this served to clothe the dry bones of the formal statistics.[3] The results were then compared with existing historical references. The following paragraphs will illustrate the advantages and shortcomings of the procedure.

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* This was done by Dr. Vernon Tate of the National Archives at the request of the Department of Geography of the University of California, which generously loaned the microfilm to the present writers.

Santa Barbara County in 1870

The economy of Santa Barbara County in 1870 was agricultural. Sheep and cattle were the principal enterprises, although some of the area was being taken over by general farms even at this early date. The only major concentration of people occurred at the town of Santa Barbara. The remainder of the county was sparsely settled with occasional clusters of dwellings on individual ranchos or adjacent to mission sites.

A total of 7,784 people lived in the county, more than one-half of whom were located in the vicinity of Santa Barbara. It was predominantly a young population, the median age being 20 years. A large part of the adult population were men, the adult sex ratio being 177 men to every 100 women.

An unusually high proportion of the families enumerated by the census consisted of single persons. Over a third fell into this category for the county as a whole and in the northwest portion of the county over one-half of the families were single persons. Normal families consisting of husband and wife with or without children living at home represented 58 per cent of the families. The remainder were broken families in which either the husband or wife was missing. Most of the families with children were relatively young. In about 70 per cent of the families the oldest child was under 15 years of age.

Roughly, one-third of the adults were born in California. One-fourth were born in a foreign country and the remainder migrated to California from other parts of the United States. Most of the persons under 21 were born in California and practically all were born in the United States.

Thus Santa Barbara County in 1870 was a curious mixture of the old and the new. Published census tables tend to obscure these differences. Statistical analyses of original census records bring them more sharply into focus. But it remains for a case-grouping analysis to present a clear picture of the variations.

Major Types of People in Santa Barbara County in 1870

Most of the families fall rather neatly into five general types when they are sorted by the case-grouping method. An examination of these groupings reveals significant differences in language, occupation, family composition, age and sex ratios, literacy, school attendance, property valuations, settlement patterns, land use, religion, and community organization. Table 1 shows the relative numerical importance of these family types and their most characteristic differences in family composition.

1. CALIFORNIOS AND PIONEERS:[4] All the people, other than Indians, who were living in Santa Barbara County at the time of the American occupation were either Californios or pioneers. The people who called themselves "Californios" were born in California. The pioneers were early travelers from the United States, Europe, or Mexico who had settled among them. The descen-

Table 1.—Population and family characteristics of specified family types in Santa Barbara County, California, 1870
(Based on 12.5 per cent sample of families enumerated in 1870 U. S. Census)

Family type	Families		Population		Adult sex ratio	One-person families	Families with husband, wife and children
	No.	Pct.	No.	Pct.		Pct.	Pct.
Californios and pioneers[1]	90	37	474	49	121	7	67
American period in-migrants							
Early settlers	8	3	39	4	109	12	75
New English-speaking farmers	61	25	231	24	195	26	48
Nonfarm in-migrants	57	24	168	17	167	35	37
Laborers							
Mexican	13	5	35	4	267	54	31
Others[2]	13	5	27	3	1050	62	8

[1] Five pioneer families not born in California and not having wives born in California have been omitted.

[2] Four Indian laborers' families have been omitted.

dants of the Californios were the largest group in the population even as late as 1870.

They were not a homogeneous group. The dominant element in their society consisted of Spaniards of proud lineage. They lived under a patriarchal family system on vast ranchos devoted mainly to cattle grazing. The lower class of mixed Indian and white ancestry, chiefly descendants of the soldiers of the presidio garrison, lived in town, were small farmers or laborers, although some worked on ranchos. Santa Barbara apparently never did have a large poverty-stricken mestizo settlement, and the Spanish-Californian aristocracy was dominant numerically, as well as socially and politically.

The earliest pioneers, those who became most thoroughly assimilated into Californian society, arrived by sea on trading ships and whalers from Boston and the British Isles, with a few from southern Europe by way of Mexico and South America. Nearly all of them married daughters of Californios, spoke their language, acquired land, Hispanicized their own names, and with rare exceptions embraced the Catholic religion and otherwise identified themselves with Californian society. Among them were men of remarkable education and cultural background, who conducted large-scale commercial operations as well as managing ranchos and who at once interested themselves in the public affairs of the province.

Another type of pioneer came overland—the "mountain men," hunters, trappers, and explorers. They differed greatly in education and social background from the "Yanquis," but the ruffians among them did not choose to settle at Santa Barbara. Some of Santa Barbara's mountain men took to the sea and became ship captains, hunters of sea otter. Like the others, all these eventually settled down to farming. Few of them lived in town and not many married Californian women, but they belonged to the old Santa Barbara.

2. Early Settlers of the American Period: After the American occupation another overland migration occurred between the Gold Rush and the Civil War. They were Americans much like the "Yanquis," but usually they were accompanied by American wives. They came with adequate financial means to buy ranchos and cattle, and introduced the raising of sheep for wool. In 1870 most of the stockmen in the area were grazing sheep on government range. By that time these early settlers had turned their attention to experimental diversified farming and were taking a hand in public affairs. The Americans were the nucleus of a Protestant community at Santa Barbara.[5]

Some of the settlers of this period, especially from southern Europe, Chile, and Mexico, married into Spanish-Californian families. These men are included, for purposes of this study, with the families of Californios.

3. Farm Laborers: Indians—The only description needed here is in the nature of an obituary. The Census of 1870 reports only 153 survivors of the first two decades of American occupation.

Mexicans—Little higher in the social scale than Indians were Mexican laborers. For the most part they were single men; only a few had families and the families were not large (Table1). They lived in all sections of the county. The majority were rancho laborers and shepherds. Others lived in the Mexican and Spanish-Californian farm villages or in the small mestizo sections of Santa Barbara and San Buenaventura, interspersed with other casual laborers. Some of them appear to have been transients rather than settlers.

In-migrant Laborers—By 1870 Mexicans were no longer the only foreign laborers. With the early settlers of the American period we found an array of laborers of corresponding national origin and language. There were Spanish, French, Irish herders as well as stockraisers. Chilean, European, and American farm and day laborers appeared among farmers or in a few cases lived in their households like the traditional American "hired man." American and European laborers were practically all single men, probably transient (Table 1).

4. Newcomers—English-speaking Farmers: The opening of several tracts of land for settlement after the close of the Civil War brought an inrush of families and single men who had crossed the continent in covered wagons. English-speaking, Protestant, and with a small-farm background, these families found little in common with the Californios and the earlier pioneers. They settled in one-family dwellings in the open country but on neighboring farms. They performed their own farm operations on 40-, 80-,

or 160-acre tracts of land. The census taker found 200 of these families on the Briggs tract in the Santa Clara Valley, now a part of Ventura County. Living in their midst were a schoolteacher, a Protestant minister, and a physician-farmer.

A third of these farmers had come from the Northern States, almost a third from the States west of the Appalachians, 13 per cent from the South, and the remainder were foreigners from the British Isles and Germany. Not many came directly from the States in which they were born. The birthplaces of their children suggest that nearly two-thirds of the families accomplished their western journey by at least two successive stages.

5. Foreigners and Americans with Non-farm Occupations: In 1870 most of the county's non-farm business was in the hands of the more recent American and foreign-born newcomers. There were a few exceptions. Some of the pioneers and early settlers of the American period were not only farmers but also merchants, doctors, or lawyers. The Barbareños, native or adopted, still maintained a large share of control in government and public affairs.

The occupational pattern of the various nationality groups among the newcomers resembled that of the pioneers. Germans, Englishmen, and Italians were merchants. Many skilled artisans, as usual, were north Europeans. But Yankees and New Yorkers led in each of these groups and supplied most of the teamsters, stagedrivers, and minor businessmen. Professional workers came from North, South, West, with or following the people they served. For every major occupation and on every level there was at least one Irishman. Few Chinese were reported in Santa Barbara County at this time.

Fewer than 40 per cent of the non-farmers were married and less than two-thirds of the married couples had children (Table 1). Most of the latter lived at Santa Barbara. These business and professional people were the farthest removed from the Californios from the point of view of culture. They represent the forces that were beginning to replace the old Santa Barbara with the new.

Historical Significance of Census Analysis

A study of original 1870 census records with the use of the case-grouping technique helps to explain and give perspective to historical development in Santa Barbara County. In many respects 1870 was a turning point in the county's history. It had suffered or gained little from the upheavals in the northern part of the State in the early years of American occupation. The Gold Rush had passed it by except for the boom in the cattle industry. But by 1870 the old settlement pattern had begun to disintegrate and the new settlers were just beginning to assume control. Enough of the old is left to examine the processes of its replacement. Enough of the new is present to assess its future. Four trends stand out. These were not discovered by census analysis but the latter serves to demonstrate the extent of their influence and to explain them more thoroughly.

1. The Californios were relinquishing control of the ranchos. This fact is amply demonstrated by an examination of occupations and residences of Californios in 1870. In 1860 almost all of the holdings valued at $10,000 or more were reported in the names of Californios, native or adopted. By 1870 barely a fourth of these large holdings were in the hands of Californios. The adopted Californios or early pioneers fared much better than the native sons, especially those with major non-farm interests.

This marks a significant social upheaval and suggests that some catastrophe had befallen the Californios between 1860 and 1870. History records a series of disasters during this period.[6] The prolonged depression in the cattle industry following the wild inflation of the Gold Rush days was not remedied by the extravagance and poor management of the rancheros. They were in poor condition to withstand the ravages of the most spectacular flood in California history which was followed by a much more disastrous drought. In the words of a local biographer, in "the dry year of 1864-65 all his 1500 cattle lay down and died."[7] So did hundreds of thousands of the cattle of his neighbors. Land became almost worthless. Already hampered by the United States Land Act of 1851 which threw all titles in doubt and demanded long and very expensive litigation, the rancheros were forced to borrow money at ruinous rates of interest. Short-term mortgages bearing *monthly* interest rates of 4 or 5 per cent, occasionally as high as 10 or 12 per cent, compounded monthly, were secured by the total amount of cattle and land without regard to the amount of indebtedness. A few were able to sell directly for about 25 cents per acre, but the usual price paid at foreclosure was 10 cents an acre. It is no wonder that the 1870 census found few Californios still in possession of their ranchos. Some of the dispossessed Californios operated small farms, often on rented lands. Between 1860 and 1870 the number of farms under 10 acres increased from 10 to 90. Some were reported as living in their town houses in Santa Barbara, the beginning of an impoverished aristocracy there. A few of the younger men found jobs as hostlers, teamsters, butchers, musicians, saloon keepers. Many were reported as day laborers. With the loss of their land the Californios soon lost their position of authority and dominance. Gradually social and political control slipped from their grasp.

2. Family-sized farms made their appearance. The cattle ranchos had not entirely disappeared as early as 1870 but they were being consolidated in the hands of a very few Americans. Most stockraisers had shifted from cattle to the sheep industry, which was in a boom period prior to its collapse after the drought of 1876-77.[8] There are traces of the old rancho community pattern under new management, but the resemblance between the headquarters of an American ranch and the homestead of a patriarchal family with its retainers is rather superficial.

But of more significance was an increase in the number of small general farms. Small farming operations had long held a place among the Californios[9] and among the mission Indians. Some of the rancheros and their sons were turning to small farming as a means of rehabilitation. A few of the old Californian landowners who had always cultivated vineyards, gardens, and field crops expanded these operations and encouraged their tenants and other small farmers to do likewise.

But new settlers occupied most of the smaller farms, introducing a new, typically American settlement pattern, the isolated farmstead in the open country, using villages as trading centers. These farmers were settling on large tracts of land that had been subdivided for colonization. The colonizers were large-scale experimental stockraisers and farmers who, with others, were preparing the way for a successful transition from range livestock to diversified irrigated agriculture.

3. The newcomers were not absorbed into the early Spanish-Californian culture. They differed from the earliest pioneers who had come by sea, from the explorers and the Gold Rush immigrants in that they came as families and established American homes. They brought with them not only their wives and children but their stock and farming implements, their business practices and agricultural techniques, their political and religious convictions. They lived in compact agricultural settlements which nurtured their former culture and prevented it from being absorbed by the Spanish-Californian mode of living. More dislocated Southerners were due to arrive later, many from Missouri, the springboard of migration to California.[10] In 1870 the overland surge of population to Southern California was just beginning. Immediate results of the rapid colonization were the successful establishment of an American public school system and a new county. Long believers in local self-government, the newcomers were able to charter Ventura County in 1872.[11]

4. The Californios did not disappear from the scene. An analysis of the age and sex composition of the Californios shows a trend of much happier portent than the tragic picture of economic collapse. The old families still maintained a high fertility ratio. Because the increase continued so largely through the female line, many children of Californios bore English names which today pass unnoticed in the American population. The majority of these people were descendants of the more illustrious and able Spanish families and the best educated and most public-spirited of the American and European pioneers.

The transplanted homes of the American farmers also had many children. Almost all the children in the area were in the homes of the two groups of people best able to take care of them. These families represented two different and often antagonistic cultures, but showed a fundamental kinship in their belief in the pre-eminent importance of home and family, agriculture as a way of life, love of outdoor activity, hospitality and neighborly contacts, community life centered in the church, Catholic or Protestant. A whole generation of California's future citizens had time to grow up in these homes before the avalanche of the real estate booms descended upon them.

The result of this study is a picture of the most celebrated of the old Spanish-Californian communities recovering from successive impacts of invasion, inflation, depression, flood, drought, financial disaster and a tidal wave of immigration. The 1870 census caught the region between the collapse of one order and the rise of another.

Census data seem to corroborate the opinions of some writers[12] that the Californios, unlike the Indians, were not completely submerged, in spite of widespread financial ruin and social upheaval. An alien culture, predominantly Anglo-Saxon, or rather Yankee, in language, in economic and political institutions, was rapidly taking possession of the region; but the resultant civilization was to be a blend of the two cultures in a young and vigorous community.

NOTES

1. ". . . at the Censuses of 1850, 1860, 1870 and 1880 the marshals or enumerators were required by law to file copies of the census records for the respective districts with the clerk of the County Court or other official of the county or official of the State to which his district belonged.

"The original records of the Censuses of 1790 to 1870, inclusive, are now in the custody of The National Archives, Washington 25, D. C. These records are open to the public but The National Archives advises us that it is unable to render genealogical service at this time. That agency will furnish upon request a list of outside persons who do genealogical research work." Memorandum from Mr. J. C. Capt, Director, Bureau of the Census, October 18, 1946, to Mr. John J. Judge, Regional Director, San Francisco Regional Office, and by him kindly communicated to the Editor.

2. The fire occurred in the basement of the former Commerce Building, 19th and Pennsylvania Avenue, Washington, D. C., on January 10, 1921.

3. L. A. Salter, Jr., "Cross-Sectional and Case-Grouping Procedures in Research Analysis," *Journal of Farm Economics,* XXIV, No. 4 (November 1942), pp. 792-805. Case grouping involves an analysis of the cases on a horizontal basis, thus preserving their major characteristics.

4. R. G. Cleland, *From Wilderness to Empire* (New York, 1944), p. 128; John W. Caughey, *California* (New York, 1940), pp. 241-45.

5. Laurance L. Hill and Marion Parks, *Santa Barbara, Tierra Adorada* (Los Angeles: Security-First National Bank, 1930), p. 194.

6. R. G. Cleland, *The Cattle on a Thousand Hills* (San Marino, 1941), pp. 137, 149, 153, 183.

7. Y. A. Storke, *Biographical History of Santa Barbara, San Luis Obispo, and Ventura Counties* (Chicago, 1891), p. 361.

8. Cleland, *op. cit.,* p. 191.

9. Hawley, W. A., *The Early Days of Santa Barbara* (New York, 1910), p. 82.

10. Cleland, *op. cit.,* pp. 221, 223.

11. Storke, *op. cit.,* p. 187.

12. Rockwell D. Hunt and Nellie Van de Grift Sanchez, *A Short History of California* (New York, 1929), p. 291; John W. Caughey, *op. cit.,* pp. 200, 201.

The Spanish Anchorage in San Francisco Bay

By J. N. Bowman

NATURE provided San Francisco Bay with a number of safe, convenient and desirable anchorage grounds, nevertheless the location of the first one actually used was not determined from the water by vessels but from the land by land establishments. It was the location of the Presidio that determined the site of the earlier anchorage and continued its use, until nature and the water interests—the ships' masters—revolted against the land interest and transferred the anchorage to a point meeting their requirements, thereby forcing the Presidio to come to terms on this question. The winds, rains, floods and tides during the winter of 1824 had proved the hazardous nature of the old site; and four years after the masters repaired to Yerba Buena cove for safety, and for convenience remained there, the Presidio capitulated. Later, when a presidial pueblo was founded, it was located at the anchorage and not at the Presidio.[1]

The site of the anchorage at the cove is well known, but the old anchorage has become a tradition and its site indefinite. Bancroft, some sixty years ago, wrote that Yerba Buena battery was built in 1797 at "Point Médanos, later called Point San José and Black Point, renamed Mason, and long occupied by a battery. It was known as the Battery at Yerba Buena, designed to command the shore stretching westward to Fort Point, and that stretching eastward to what was called later North Point, together with the body of water between that shore and Alcatraz Island, already so called, known as the anchorage of Yerba Buena, though it does not appear that any vessel except that of Vancouver ever had anchored there." The name of Yerba Buena, he says, was, in these early times, applied particularly to the North Beach region "and not, as is commonly supposed and as was the case after 1830, to the cove south of Telegraph Hill."[2] Several items in this statement must be questioned. Vancouver anchored in Yerba Buena cove, already so called in 1792, and only an impossible interpretation of his map would make possible his anchorage off North Point.[3] The question remains as to the site of the anchorage off the Presidio.

The sources of materials bearing on this question are Spanish governmental papers, the statements and maps of the early explorers, and the testimony in the private land grant cases.

The Spanish records in California which were possibly concerned with the subject were burned in the 1906 San Francisco fire, but Bancroft fortunately had salvaged much material in his collection of abstracts and copies of the *Archivo de California*. In this collection only two references to Yerba Buena cove have been found, namely, the two Sal reports[4] to Monterey relative to the arrival and departure of Vancouver and his first anchorage at a place called Yerba Buena, about a league from the Presidio—approximately the distance given by the visitor himself. The Vancouver text and map, to be discussed in a later paper, place the anchorage in this cove; Sal's letters must therefore refer to the same place.

The early explorers are not very specific in their texts, but their maps, where they exist, often give definite sites of anchorage. For the recent litigation over the validity of the confirmation of the Mare Island grant, the government with great care collected all available maps of San Francisco Bay which could possibly bear on the case.[5] This is one of the most complete collections of such material in existence and contains the explorers' maps from 1775 onward.

The map of the Ayala expedition of 1775, in the above collection, is a facsimile of the Library of Congress' copy of the reproduction made in Mexico on November 30, 1775, of the original transmitted to the viceroy. This map, then, was made during or within a few weeks of the expedition itself. After orienting the map with reference to known conditions, the anchor—the symbol of anchorage—is found located about midway between Fort and Black Points. The next map is without a date but was executed after the founding of the Presidio and Mission Dolores. Judging by its great similarity to the next map, dated 1781, it is probably of the late 1770's, as the anchor symbol is placed at the same place as on the Ayala map.[6] The "place of the Port," surveyed by José Cañizares, who did much of the exploring for Ayala, and engraved by Manuel Villavicencio in 1781, is almost the same as the undated map mentioned above, but shows no anchorage symbol. The Dalrymple map of 1789 is also without the anchor symbol. The map of 1798 shows the anchorage just east of and close to Fort Point with three water depths indicated near the symbol—2, 3, and 3 Spanish fathoms of 2 varas. The map of the Bay made in Mexico in 1825, which is very similar to that of 1798, shows the anchorage at the same place as this map, with the depths 2, 3, 3, nearby. The Beechey map of 1827-28 contains no symbol of an anchorage, but has the word "landing" at about the present site of the U. S. Coast Guard Station. The Beechey map is the last one made of the old anchorage before the final transfer to Yerba Buena cove.

In the text of the early explorers are only general references to anchoring grounds. Langsdorff stated that in 1806 he anchored in the neighborhood of the Fort, and Kotzebue wrote that in 1816 he anchored "opposite the Presidio." The following year, Roquefeuil on entering the harbor "proceeded to Yerba Buena, where Vancouver first anchored." Beechey related that "we entered the port, and dropped our anchor in the spot where Vancouver had moored his ship thirty-three years before." He later moved to "a small bay named Yerba Buena, from the luxuriance of its vegetation, about a league distant from both the presidio and the mission of San Francisco." In 1822 Capt. John Hall visited the California coast in the *Lady Blackwood*, and extracts from his log were published by Forbes in the appendix of his *California*. Regarding the old Spanish anchorage in San Francisco, Hall wrote that in "passing the fort, the anchorage is situated in a small bay, immediately abreast of the *Presidio*, where a vessel will find good holding ground in five fathoms, about a cable's length from the beach."[7]

All these maps of 1775 to 1828, which show places of anchorage, locate the respective sites just east of Fort Point, and none near Black Point nor between it and North Point nor between Black Point and Alcatraz Island.

After the anchorage was changed in 1824 and after it was recognized by the government in 1828, only occasional reference to the old anchorage is found. In January 1827, Duhaut-Cilly arrived at San Francisco and after passing the Presidio, which appeared at first sight to be a group of farm houses, he anchored in a "gentle curve taken by the southern shore, just beyond the fort," in 17 fathoms of water with a mud bottom and 200 fathoms from the beach. This would place the anchorage at the site of the eastern end of the old Spanish anchorage, but he does not refer to it as the general anchoring grounds; later he moved to Yerba Buena cove.[8]

In 1841 Wilkes indicated "landing" on his map at the present U. S. Coast Guard Station. After this date, and especially after the end of the Mexican regime, the anchorage became somewhat legendary and known as the "ancient landing place." In the San Francisco pueblo land case an undated map of the early 1850's places "landing" at the same spot as did Beechey and Wilkes. In the Limantour land case an undated and colored map of the middle '50's places the anchor symbol just off the present Coast Guard Station, and on the land is written "estacada." This "estacada" is the place referred to by Richardson, in his testimony in the same case, as the place he pointed out to the engineer Whitcher, and is also that referred to by Jimeno in his letter to Richardson on January 14, 1843, relative to the Limantour petition for 1.5 leagues in the Presidio area beginning at the "estacada or Fondeadero Antiguo."[9] The map showing the limits of the claim has "Estacada" written at or near the site of the present Coast Guard Station, and the anchorage symbol directly offshore.[10] In this same case is also the Hoadley map made in 1849 to 1855 which has "ancient anchorage grounds," extending along the shore from Fort Point to the present Coast Guard Station.

The Bay bottom as shown on the early maps and on the U. S. hydrographic charts of the '50's shows the Presidio Shoal extending along the shore of the Coast Guard Station. Vancouver's inner anchor was in 5 fathoms of water and the outer one in 13 fathoms; this indicates the edge of the shoal. He gave the distance from the shore as about a quarter of a mile. At present a buoy about due north of the outer end of the pier of the Coast Guard Station marks the 12 fathom depth at the edge of the shoal; it is anchored about 2000 feet offshore, so Vancouver understated the distance but covered the difference by the word "about."

There still remains the question of the east and west ends of the anchorage. W. A. Richardson, who was port captain from 1835 to 1841, testified in the Limantour and pueblo cases that the old anchorage was "at the eastern end of the old fort opposite the Presidio and at the entrance of the Bay," and that "for merchant vessels it was to the eastward of the fort, about 3 cable lengths from the fort, in a small bay opposite the Presidio. They anchored at that place up to December 1824. Whaling ships used to go to Sausalito to anchor for the benefit of fresh water. From December 1824 the merchant vessels came to anchor at the Yerba Buena cove." The eastern end would be limited by the location of the Anita Rocks almost due north of the Presidio; it was limited, however, by another factor—the condition of the shore and the accessibility to the Presidio itself. From about the site of the Coast Guard Station eastward the shore was low and swampy, with a slough running eastward and connecting with the Bay just west of Black Point. Vancouver's map shows this slough as somewhat larger than in the earlier maps of 1775 onward. Between Fort Mason and the Coast Guard Station a landing to the Presidio was extremely inconvenient if not impossible, and Vancouver relates the difficulties attending the landing at this anchorage.

The shore from Fort Point to the Coast Guard Station is free of slough and swamp, but it is high and precipitous and in only one place is there easy access to the Presidio and the Fort. This place is the ravine directly back or south of the Coast Guard Station, in which are now located the Presidio stables. The shore conditions indicate an anchorage off the mouth of the ravine. It was undoubtedly up this ravine that the sailors of the San Carlos in 1776 reached the mesa (on which they helped to build the first palizada buildings of the first Presidio), and up which Vancouver and his officers went to the Presidio to pay their respects to Comandate Sal.* By way of this ravine the Presidio officers could supervise the visiting vessels. No direct evidence has been found of a wharf or pier ever having been built there, though at this "landing" place was the "estacada" of the early 1850's map, which Richardson in his testimony referred to as the "Timber point." These stakes (estacas) may have been the relics of an early wharf, but of it nothing has been learned. The remains of an old wooden bridge back of the present Coast Guard Station are, however, recalled by the captain. It crossed the ravine at a point just behind the present schoolhouse (near the concrete footbridge), and the bridge or a predecessor is mentioned in the claim of General Vallejo in the 1880's for part of the Presidio ground.[11]

To return to Bancroft's statement, quoted in the second paragraph of this paper: Immediately west of Black Point a landing could have been made from ships anchored between Anita Rocks and Fort Mason, and the Presidio reached by the old Yerba Buena battery trail when and while it existed, but

* At the mouth of this ravine Vancouver dug a well in 1792; and from a stream coming down it or one of its tributaries he secured his water in 1793.

it was not so convenient as the ravine and trail between the Presidio and the Fort. A landing between Black and North Points, at North Beach, would have been possible but Russian Hill reached down close to the water and made access to the Presidio quite difficult between the hill and Fort Mason. The battery at Fort Mason in 1797 would supplement the fort on Fort Point in commanding the half mile of anchorage between these points, and especially would give added protection to the eastern access to the Presidio, but nothing has been found as to its commanding an anchorage between it and North Point. By the time of Vancouver the place where he anchored off the Presidio was known as "the general anchorage place" and "the general place of anchorage." A Presidio pilot guided him to the anchorage, so that the general anchoring grounds in 1792, well known to the local pilot, would be definitely known to the visitor.

In summary: the old Spanish anchorage at the edge of the Presidio Shoal, extending from about 600 to 720 feet east of Fort Point eastward to about due north of the Coast Guard Station and west of Anita Rocks, served for half a century. Its site was determined by convenience of access to the military post; during the same period, whaling vessels determined their anchorage off Old Sausalito from the abundance of wood and water.[12] Only a few naval and merchant vessels visited the Bay during the Spanish regime, but after 1822 and the end of the revolution against Spain, the province was opened to shipping, which continued the use of the old anchoring ground until the great storm at the end of 1824 forced the masters to determine the anchorage from the point of view of their vessels rather than from the location of the land establishments. Yerba Buena cove was used as a refuge, and after four years of governmental attempt to force the masters to return to the old ground the authorities acceded to the inevitable change. When it was founded by Figueroa, the presidial pueblo had its headquarters and elections at the Presidio but the populace was at the cove. A second time the government acceded to the inevitable and Figueroa founded the pueblo at the cove, but it still was several years before the headquarters were changed from the Presidio, first to Dolores and then to Yerba Buena. Within a quarter of a century after the shipmasters' selection of the cove as the new anchorage ground, the pueblo on its shores had absorbed both the Presidio and the Mission.

NOTES

1. J. N. Bowman, "The Selection of the Site of Yerba Buena," MS.

2. H. H. Bancroft, *History of California* (San Francisco, 1884-90), I, 701-702.

3. J. N. Bowman, "Vancouver's Anchorages in San Francisco Bay," MS in files of California Historical Society.

4. State Papers, Sacramento (transcripts from the *Archivo de California*, in Bancroft Library), I, p. 116, MS.

5. U. S. *v.* O'Donnell and Stewart, and Stewart *v.* U. S., United States District Court, San Francisco.

6. The map is reproduced in this QUARTERLY, XIV (June 1935), op. p. 111, and is labeled "Made by José Cañizares in 1776." As it shows both the Presidio and the Mission, the date must be questioned.

7. George H. von Langsdorff, *Voyages and Travels* (London, 1813), II, 150; Otto von Kotzebue, *Voyage of Discovery* (London, 1821), p. 276; Camille de Roquefeuil, *Voyage Round the World* (London, 1823), p. 24; F. W. Beechey, *Narrative of a Voyage to the Pacific* (Philadelphia, 1932), pp. 293, 294; Alexander Forbes, *California* (London, 1839), appendix. In the map attached to this volume is an insert of part of the Beechey map of San Francisco of 1826-28. The reference in the text of Hall's extracts has sometimes led to the confusion of dating this map four years before it was made.

8. A. Duhout-Cilly, *Voyage autour du Monde* (Paris, 1834-35), I, Chapter 8; see translation of California portion in this QUARTERLY, VIII (June 1929), 140. Alfred Robinson in his "Statement," MS in Bancroft Library, p. 14, recalled from his visit to Yerba Buena in 1830 that "formerly the place of anchorage for vessels was in front of the Presidio, but after a while the trading vessels found there was better protection farther up. . . ."

9. Land cases 424 ND, 427 ND, U. S. District Court, San Francisco. The Limantour petition of January 10, 1843, and the concedo of February 27, of the same year, place the beginning point of the grant description "en la Playa del Estacada en el Fondeadero Antiguo del Puerto de San Francisco." Although the documents were proven forgeries, the descriptive data reflect the recollections of the early 1840's as to the site of the old anchorage.

10. Land case 427 ND.

11. U. S. Circuit Court (San Francisco), case 4152, Vallejo *v.* Howard.

12. *Ibid.* In those days the aesthetic factor would not be raised as a reason for placing the whalers at Sausalito, judged by the usual method of slaughtering cattle near the dwellings.

The California Recollections of Caspar T. Hopkins

(Continued)

V.

With the close of 1850, the two years in which I had expected to make $100,000 and return home to relieve my family and resume my studies—expired. So far from accomplishing my object, I not only had made nothing, but I was several thousand dollars in debt. I began to get discouraged. To be sure, I was not yet 25 years old and having a good constitution I was likely to have time enough to repair my mistakes and come out all right if I could only get a proper start. . . . My letters from home continued as frequent, as loving and solicitous for my welfare . . . as they could possibly be; . . . though I returned their love with interest, I had found the world so totally different from what I had expected, and myself so incongruous with every other phase of humanity. . . . I considered myself a fraud and a mistake, incapable of achieving success in anything. . . . For weeks together, I had not a dollar in my pocket. I had no room of my own, but slept by permission on a table in a friend's loft, with my old overcoat for a pillow and my blankets for bedding. I boarded on credit for six weeks, at six successive restaurants, none of whom I then paid, though intending to do so when able; but before that time, the fire came and destroyed some of them.[38] One day I found a forgotten balance due the old firm at a bank amounting to $7.16. What a God-send that seemed to me! . . .

Four months of this wretched existence did I endure, finding nothing to do, and moping about, discouraged, blue and despondent. At last, in early May, I decided to try the mines once more. My friend, Dr. Galen Burdell, lent me $25 to pay my passage on the steamer *West Point* to Marysville, on my way to the Yuba River. On the passage I was accosted by an exceedingly green young Vermonter by name George Howe, of Woodstock. He was a perambulating interrogation point, and finding out who I was, he stuck to me forthwith "closer than a brother." He had just been admitted to the bar of Vermont, and had married the sister of the Willards, who kept the famous Willard's Hotel in Washington, D. C. Finding himself $800 in debt he had come to California to make just that sum and therewith to return to his wife and profession. He carried out his programme within two years, though the first one was lost, like many another in getting a foot hold. As he was evidently an honest, hard-working fellow, we joined hands at once in agreeing to work together in the mines. Before reaching Marysville, we had taken two more young men into our mess. One of these was John P. Hale Wentworth, a nephew of the former Senator John P. Hale, of New Hampshire. Wentworth also proved a good man, though it took him twenty years to find his true calling. An editor of that elegant periodical the *Resources of California*[39] during the last fifteen years, he has made a broad, white mark on the progress of this Coast, besides raising a fine family of ten children. Our fourth comrade was a youth named Balcom, who was by-and-by killed in one of the battles of the Rebellion.

We walked to Parks Bar, on the North fork of the Yuba, and at once selected a claim, between two that had paid well the previous season. But we were forewarned that the water in the river was too high to permit us to reach the bedrock, where the bulk of the gold was to be found. Nevertheless, we worked three weeks, without taking out a cent's worth of the precious metal. On the last day, when we were down twelve feet and seemed to be almost to the bed rock, and were working very hard to bail out the water and quicksand, I let slip the handle of the winch while lowering the heavy wet bucket. It struck Wentworth on the top of his head, knocking him senseless and cutting a gash four inches long! We hauled him up covered with blood, more dead than alive. But he recovered, to be bantered the rest of his days, on owing his life to the uncommon thickness of his skull! However, our bedrock yielded nothing to us. We went to work for the neighboring miners at $6 per day, to get the money to pay our board. It was reserved to some more lucky adventurer to take $12,000 out of that very hole the following autumn when the water was low enough to allow its thorough working!

Our company separated thirty days after our arrival at Parks Bar. I returned towards Marysville, on foot as usual, and near that city found a job at ditching. A Missouri emigrant, wishing to fence his farm, was offering $1.50 per rod, and board, for digging a ditch 4 feet wide at top, 2 feet at bottom and 3 feet deep, and piling the excavating earth as a wall. I found I was able to make five rods of this ditch and wall per day, thus earning $7.50 clear. But the sun was hot (it was now June); I worked too hard, I suppose. Anyhow after three or four days I fell ill of a fever and was compelled to keep my berth in the shanty where the laborers slept. But this I was not long permitted to do, for as soon as the landlord, my employer, found out that I was sick, he ordered me off the premises, saying he did not keep a hospital, that he had paid me for my work and owed me nothing more; that it was not his fault if I had no home, or that there was no public hospital to go to, and for all he cared I might go to hell and be damned, but I should not lay around sick in his house! So I got up and crawled to a neighboring hay-stack, without a soul to wait on me, without medicine or even water, and with only my old blanket to keep the sun off by day (120°) or the dews by night. Three days I lay there, under these conditions, without food, not caring whether I lived or died. But on the morning of the fourth day the fever left me and I was able to reach the road and get a lift to Marysville in an empty wagon returning from the mines. A good night's rest in a bed and a few good meals soon set me up again, and I was able to work my passage down the river to Benicia, by firing the boiler of a steamboat. At Benicia I found my old servant José De Bedoya (then working for Captain Frisbie),[40] who welcomed me most cordially to a lying-down place on the floor of his rooms in an unfurnished house. He also paid me $60, all he ever paid toward his expenses out, and I spent a few weeks in his company. And here I had some rough experiences. For a few days I worked with a gang of longshoremen in taking out of the bark *Fanny* the steamboat *S. B. Wheeler*. This was done by removing the deck of the bark, which was then sunk and the steamer floated out. The bark was then pumped out, and the deck, masts and rigging replaced. The mate in charge of our gang was a regular Scotch bully, a powerful fellow, used to governing his crews by the arguments of fist and belaying pin. He took a special spite against me . . . till I finally lost patience and at the end of an altercation, I slapped his face. That was a mistake! He replied with a blow of his fist in my eye, and being no boxer, I soon got the only sound thrashing I have received since my father left off that kind of exercise. Of course that ended my services with the *Fanny*.

I next took the job of raising the wreck of the so-called steamboat *Lucy Long* for a man named Hutchinson for the sum of $100. I reproduce the following from one of my subsequent communications to the New York *Courier and Enquirer* [no date given], which, being written at the time, graphically narrates the antecedents of this unlucky craft.

"The first experiments in steamboat architecture were generally failures. In the fore part of the year 1850, the business was so profitable, that every kind of craft capable of carrying an engine was pressed into the service. Some idea of the wild speculations indulged in by men who ought to have known better, may be given by the history of the steamers *Lucy Long* and *Colusa*. A certain seven-foot general and doctor[41] who had held high offices out here, and who was worth $200,000 in Benicia lots 18 months ago, took into his head the notion that he was admirably adapted by nature to the science of engineering and that he could double his already handsome fortune by an investment in scows and pony engines. Not having any time in such an emergency to build a new boat, he bought a scow that had been put together by the Mt. Vernon Company of Washington, D. C., as a steam dredge, for $8,000 cash, and removing the dredging bands and drum from her stern, substituted a paddle wheel 9 feet in diameter with a 3-foot face. The wheel was turned by an engine having a 5-inch cylinder and 20-inch stroke, and making four strokes for one revolution of the wheel. When we remember that the scow was 60 feet long and 25 broad and the weight of the machinery, cabins, boilers all on one end and both ends perfectly square, it may be imagined that she would hardly keep up with the *Senator* or *New World* in the rough waters and strong tides of the Straits of Carquines. However, the doctor was 'not going to give it up so.' He bought another engine of 6-inch bore and 30-inch stroke and substituted it for the former one, without increasing the size of his boiler, which could not supply it with steam more than 15 minutes running. This improvement cost some $4,000 more. He then invented two huge barn-door looking rudders, which added a ton additional weight to that end of the vessel already drawing 3 feet, while the bow was out of water, and once more essayed the passage of the straits. . . . After a half-day's tough steaming, trying to go three miles across the tide, our friend found himself some ten miles to the leeward of his port, with a neighborly sand bank under his counter, by the aid of which at last the engine was enabled to stem the current. [A snag pierced the thin planking of the bottom] and another haul on the doctor's purse left him minus an additional $3,000 for repairs. Then at last some half-dozen trips to Martinez, 3 miles distant, were accomplished at slack water, with a fair wind; and the doctor began to laugh in his turn at the blockheads who doubted him to be the very rival of Fulton himself, when unfortunately, an eddy of the tide carried his boat one day upon a ledge of rocks, several of which soon made their way, without the help of a Spanish burton, among the ballast in the hold. By this time the doctor had got engaged in a grander enterprise. A new steamer[42] was put on the stocks and this time the doctor's ideal conformed more nearly to his own proportions, viz., seven times the breadth to the length. The steamer, 125 feet long, was launched and finished, $30,000 was expended on her hull, her cabins, staterooms and furniture. Ordinary mortals would have paid some attention to the power which was to drive so handsome a boat through the briny waves. Not so our hero. Not finding his five-inch engine a very saleable article, and having heard somewhere that by using a certain gearing he could, with a power however small, move a weight however great, he applied his pony engine to two large side wheels with this gearing attached and then hurrah for the *Colusa!* But our engineer had forgotten that what is gained in power, is lost in velocity, and though his wheels actually turned around and made a few bubbles in the water, yet their revolutions were about as numerous as those in Mexico, while his boat, like Mexican progress, was decidedly stationary. Alas for science! The doctor's spare cash and credit were now among the by-gones. The *Colusa* became a lighter for carrying hay. The *Lucy Long*, after 'taking her time' for six months among the rocks and seals, brought him back $500 of his money."

It was while she was lying on the rocks at the point in Carquines Strait about two miles below Benicia that Dr. Semple sold the wreck of the *Lucy Long* for $500 to a Missourian named Hutchinson, an adventurer who wanted to convert her into a side-wheeled ferryboat at Sacramento. Hutchinson knew nothing whatever about a steamboat, or about navigation, nor did he have any money. And though a tolerable jack-of-all-trades myself, I knew nothing of wrecking and precious little about any other part of the work I engaged to do. However, I went at it thusly.

As the boat was flat and only partially submerged at low water, I undertook to lash a spar to each side at low tide, then to lash empty water casks to the spars, so as to lift her off when the tide rose. I borrowed the required material from Capt. Wall of the bark *Alabama,* then laid up at Benicia, and hiring a sailor to assist me, we succeeded not only perfectly, but a little too previously. For having completed our lashing, and it being noon, and the tide not quite up, we went ashore to eat our dinner. While so employed, the wind being off shore, and our yawl made fast to the outer side of the steamer, the first we knew, the wreck started off, taking our boat with her, and going adrift up the straits, while we had to walk 6 miles around the bight, before we could get another boat to board her with! . . . However, we finally got her on the beach at Benicia, where repairs were duly made and we started for Sacramento where, after missing the right river twice, owing to Hutchinson insisting on taking the wrong slough, and after getting short of fuel and various other mishaps, we arrived in five days from Benicia, distance 70 miles!

Arrived at Sacramento, Mr. Hutchinson demurred to paying me $100 and the $10 per day he had offered me to navigate the craft to Sacramento, stating that his money had not yet arrived, but he wanted me, meantime, to go to work as foreman on the wood work of the proposed alteration at $16 per day. I accepted the offer on the condition that he should not interfere with me, as I had learned his meddlesome disposition already. To this he agreed and I went to work. The engineer and I made out plans. I ordered the timbers and believe I would have made a good job of it, had the "boss" been willing to let us alone. But this he seemed unable to do. Finally one day I threw down my square on the deck and demanded my money, then amounting to $300. Did I get it? Not much! For three days I was put off with lying promises, but on the fourth day, about one o'clock, he handed me $150, all in half dollars, loose. Having counted and pocketed this, I asked him about the other $150. He laughed in my face and replied, "You d---d Yankee . . . why don't you thank your stars you have got that much! Bet your sweet life that's all you'll ever get out of that job!" I seized the wooden chair on which I had been sitting, and with one powerful blow I broke it to kindling wood over his head, cutting a gash that bled frightfully and knocking him senseless on the floor. Thinking I had killed him (those were the days of lynch law and the town of Washington where this occurred, was full of Southerners at this time) I sprang for the ferryboat, reaching her by a flying leap after she had started, rushed to the steamer just hauling in her last line for San Francisco and was safe, for there were no telegraphs in those days. But Hutchinson was not killed. He only got what he deserved, and when, months afterwards, he was running his ferryboat, he acknowledged as much by giving me free passage whenever I crossed.

Once more in San Francisco, with a few dollars in my pocket, I paid

Burdell and whomever I could find to whom I owed for board, and my next venture was again upon the water. I agreed to purchase one half of the mackerel schooner *Emeline* from the mate, a young sailor named Curtis. The price was to be $900 and was to be paid out of my half of her earnings. I was to go as master and he to continue as mate. He asked no security and I had none to give. The vessel was built of oak, was of about 80 tons and so tight that we never pumped her during the entire five months I was in her. She required two men and a cook besides the officers, but being a seagoing craft, her draft of nine feet prevented her carrying sufficient cargo to make her profitable on the shoal rivers. Rates of freight on the rivers, which were $40 per ton in 1849, were now reduced to $5, while we still had to pay $60 per month to each of our crew. However, I enjoyed this kind of life. We carried a cargo of flour in bags to Sacramento, where the rats were then so thick that they completely covered the white spot on the levee where we discharged, so that it could not be seen at night, till you put your foot down among them and made them scatter a little!

We brought bricks back; we carried hay to and fro, making several trips both to San Francisco and Stockton. One of our return voyages was very fatiguing and exciting.

We had brought down a hold full of bricks from up river, and stopped at Martinez to take on a deck load of hay for San Francisco. While at dinner at the wharf (we all messed together in those small crafts) I told my two sailors to go on deck and take a reef in the main and fore sails, my object being to make room for the hay by tricing up the booms; but the men, regular old salts, both of them, not knowing this, but sure that I was only a fresh-water sailor, thought that I was afraid to carry sail, though the breeze was only moderate and the schooner heavily ballasted, and declining to execute such a lubberly order, they both deserted the vessel, leaving the mate and me to load the hay and get to San Francisco as best we could, for no other boat hands were to be got at Martinez. So we reefed the sails, hoisted up the booms, took on board and stowed 200 bales of hay, received six passengers and at six o'clock that Saturday night, with a stiff head wind to beat against and in dense darkness (for it was very cloudy and there was no moon and no lights in those days) we started to beat down the Straits of Carquines.

One of us took the helm, the other the lead line forward, the high deck load of hay separating us. As we tacked across the channel we would run entirely by the lead, reading the marks on the line by our fingers, for we could not see. When two fathoms was indicated, "hard alee!" shouted the lookout and let go the jib, whose slatting was all the helmsman could hear between the wind and the hay. Thus we got through the straits and San Pablo Bay all right, but narrowly missed the Sisters, which we just grazed in the dark, but the strong tide carried us clear. Next morning at daylight we dropped a single anchor off Long Wharf; the mate took the passengers ashore and being very tired we both turned in to sleep without any breakfast.

But about nine o'clock we had drifted foul of a French bark, our single anchor not holding against the gale and change of tide. Tired, hungry, sleepy and shorthanded as we were, we had to launch our boat, carry out our other anchor, heave her clear, get up both anchors, make sail and a couple of tack to get another berth, let go both anchors, make all snug and get breakfast before we could resume our rest. Just as we were going below at 12:00 o'clock we heard a sound from the city as of many thousand voices cheering. We wondered what it meant, but in our exhausted condition, we could not have gone ashore to find out if our lives depended upon it. We never knew, until, after 18 hours of solid dreamless sleep, we hauled in next morning and learned of the hanging of Whittaker and MacKenzie[43] by the celebrated Vigilance Committee of 1851. That was as near as I ever came to having anything to do with Vigilance Committees or Lynch Law during my whole residence in California.

My last job in the *Emeline* was my first introduction to the marine insurance business. The new ship *Tagus* of 800 tons, with a full cargo of general merchandise, had gone ashore in a fog in False Bay, just north of Point Bonita, the north head of San Francisco; Joshua P. Haven, whom I had slightly known since he lent me the case of instruments in 1849 with which to draw Billing's maps, was the agent of the Eastern Underwriters in 1851 (and an underwriter afterwards). He had chartered several schooners to save cargo from the *Tagus*, paying them 5% salvage which was easily earned, while the vessel remained intact. But now she had gone to pieces, and what cargo remained was strewed along the beach, and all damaged, and must all be got off through the surf. So he offered me 25% salvage. I engaged a crew of 8 men and taking along Capt. Townsend of the clipper ship *John Sturart*[?] to represent the underwriters, we moored with three anchors down, just outside the surf, in a very dangerous position, should the wind blow from the southwest.

I learned more in the week of excitement that followed, of sailor craft, of sailors, of the power of the sea waves and their destructive qualities, than I ever learned before or since. Under Capt. Townsend's direction, we becketed some hundreds of casks of ale, whiskey, hardware, sails, etc., attaching them to a long rope, on which 25 feet of play was allowed to each cask. A boat from the schooner would throw a line over the surf to me under it[?]. I would catch it and run a race for shore with the roller. If I beat it, I could attach the rope to the first cask and all hands would then roll the casks one by one into the surf, while the men on the schooner were hauling in the line. And thus they were got alongside and hoisted on board. But if the roller beat me, as it sometimes did, when I tripped over the line or wreckage, I was soused in the brine from head to foot; in fact, I slept, ate, and worked in my wet clothes the whole week. Once I got caught under the side of the ship, which was drifting about in the breakers. Fortunately, I managed to cling to the plank-sheer, holding on between two hanging knees, which caught in the sand and anchored the raft so that I got out unharmed, but I was nearly drowned all the same. I had to do this dangerous work, because all my men were more or less drunk from the first on the liquors scattered about the beach. Nor could I control them. I never could control unwilling employees, and had it not been for Capt. Townsend's assistance, I never could have completed this business. At last, after getting the hold nearly full, we hauled out, and after an exceedingly narrow escape from losing the schooner on the rocks, we got clear of the wreck and returned to San Francisco. We realized $500 on that trip, which was the best freight we had yet earned. But the winter was approaching, the business had not paid thus far. It had no future to it for me, so I easily persuaded Curtis to release me from my agreement to purchase [the *Emeline*]. We settled up our accounts. He kept the vessel, offsetting her use against my services as master, and with $200 in my pocket, as my half of the net earnings of five months, I determined to give up trying to make money in California and return to the East. I took measures accordingly. I quit the life of a schooner master about November 15, 1851.

VI.

Sheldon U. Hopkins, the first of my few relatives who have followed me to California, was my father's cousin, the son of John Hopkins, the head of the branch of the family that settled in Philadelphia. He accompanied Hon. T. Butler King,[44] the once famous Whig politician of Georgia, when he came out as collector of customs in January, 1851, he having selected Sheldon as an expert deputy collector from the Philadelphia Custom House, where he and his brother-in-law, Dr. Charles Treichel, had been employed for many years. I called on Sheldon as soon as he arrived, though I had never previously met him, but I asked no favors of him, notwithstanding the desperation of my circumstances. . . . He was then 50 years old and unmarried. . . . But he introduced me to a Mrs. Kinzer, who, with her husband and little daughter had come out in the same steamer with him, her husband having an appointment as Inspector. Sheldon took possession of his office and did excellent work, for it was under Mr. King's administration that the San Francisco Custom House was first regularly organized and the revenue laws put in full execution. I saw him twice before I went to the mines, and when I decided to go East I called once more on him to bid him good-bye, after I had paid $50 for a steerage passage to Realejo in the crowded bark *General Wool* which was to sail on the following morning.

I went from this call to my own vessel and had been lying awake in my comfortless bunk for an hour or so, when I heard a loud voice calling down the hatchway, "Is Caspar Hopkins below there?" I answered this hail and scrambled out, not being undressed, and there was Sheldon on deck, in a high state of excitement. "What folly for you to leave this country and go back to your poverty stricken family, at your age! What will you do when you go there? Why be discouraged because you have not succeeded in only two years? Come stay with me until the next steamer goes ('two weeks'). It shall cost you nothing for your board and if I do not get you a good berth in the Custom House by that time I will pay your passage home like a gentleman, by the steamer." A long conversation ensued. These were the first words involving personal interest in me and my fortune that had fallen on my ears since I left New York. The offer seemed as cordial as it was spontaneous, for I had been and was too proud to drop the slightest hint involving any repining at my condition, or any relationly claim upon him. . . . I accepted his offer, and promised, as it was then midnight, to join him at breakfast the next morning. I returned to my berth (it was a double one) in which I was presently joined by another passenger, whose snoring kept me from sleeping. At break of day the vessel prepared to haul out and on rising to leave her, I perceived that my berth mate was a big negro! I sold my ticket for half price, and have ever since been able to say that the most expensive night's lodging I ever paid for, was when my bed mate was a "buck nigger."

Sheldon Hopkins was a full-blooded Irishman (I being only half) and he had all the faults and virtues of that excitable and unreasonable race. He was a creature of extremes. At times witty, sociable, charming in conversation, studious, wonderfully industrious and energetic; at other times, morose, taciturn, averse to company or occupation. In accounts and revenue work he was a master. I have seen him add mentally a column of thirty lines of figures each five in a row, adding the five columns in one operation without an error. He wrote beautifully, both as to style and chirography. He was the most self-sacrificing of friends and his enmity hurt only himself.

But he kept his word with me. I found him living at a boarding house owned and kept by the Kinzers (still standing on the N. W. corner of California and Dupont Sts.) which his influence kept filled with boarders from the Custom House at $25 per week. . . . I staid there as a free boarder for three weeks, when I received my appointment as an inspector of customs, detailed for office work, at a salary of $6 per day. . . .

As soon as I received my commission, I left Kinzers and went to room with my friend of the mines, George Howe, who had succeeded in getting a berth in the Post Office, then on the corner of Brenham Place and Clay Street.[45] His salary was only $100 per month, with an empty room to sleep in, and this he generously offered to share with me without any charge. We got a couple of cots, a washstand and table, and put some matting on the floor, and there I roomed for a year or more, taking my meals at restaurants. Howe never lost sight of his one object in coming to California.

He lived like a miser, worked like a slave, never bought an article of clothing. . . . He begrudged the money it would cost to wash his soiled linen, and all the baths he could get for nothing, were sponge baths on Sunday mornings.

Shortly after my assumption of my duties my brother Clement, then employed in the editorial department of the New York *Courier and Enquirer*, James Watson Webb's paper and a leading Whig organ, offered me the position of own correspondent to that journal, at $10 per letter. I accepted this, intending the proceeds for my father's benefit, to whom, after I had earned $160, I sent a draft for the money. . . .

But I got my pay out of that appointment indirectly; I was evidently a supernumerary in the office and as the expense of collecting the revenue was extravagantly high, owing to high salaries and many of them, the collector soon received orders from Washington to discharge half a dozen of his clerks. I was accordingly notified that my services were no longer required. I showed the notice to Sheldon. He suggested that I should write to Mr. King, informing him of my connection with the *Courier and Enquirer* and asking if I could be of any use to him in that capacity. I did so: immediately I was summoned to his private office and he devoted the whole day in dictating to me what he wished to say to the Whig party in the East. It seems he was just bursting for exactly such an opportunity, for he had been beaten in the canvass for the U. S. Senate, an election which was the object that brought him here. I spent nearly all night in writing out a long communication from his notes, which I read to him next morning. He was so pleased that he removed a careless clerk from the liquidating desk (a permanent and prominent place) and installed me therein at a salary of $260 per month. Not only so, but gave orders that I alone was to make out all claims against the Government for duties illegally exacted under former administrations (and there were plenty of them), and told me to charge the claimants at least 10% for my services. Here was a perquisite worth from $3,000 to $4,000 per annum, and I worked it for all it was worth. I soon began to pay my debts. I paid Mr. Holley and Mr. Wheaton principal and compound interest on their advances. I did the same by my good uncle, enclosing the draft to him in a gold snuff box suitably engraved which cost me $160. I paid Mason his $1,000 and my share of all the debts of Winchester, Paine & Co. . . .

I took charge in the spring of 1852 of the first pipe organ ever imported to San Francisco, which I continued to play ten years. It was in the Howard Presbyterian Church.[46] I was also the first organist (for two years) of the Unitarian Church where Starr King afterwards officiated.[47] My earnings on Sundays averaged $75 per month for many years, for I was never without one or two organs at a time, till I voluntarily retired in 1866. I can truthfully say that in all my long experience as organist and director, I never sought a situation and never was discharged from one. . . . I was moreover the means of recognizing and assisting musical talent in many instances, and can recall a number of fine voices, whose owners received their first aid and impulse from me.

In 1852, in conjunction with the famous Harry Meiggs,[48] afterwards noted for his escapade from San Francisco owing $800,000 and subsequently brilliant career as a railroad builder in Chile and Peru, I started the first choral society on the Pacific Coast. It was called the "San Francisco Philharmonic Society."[49] Meiggs was president, G. J. Hubert Sanders was vice-president and conductor and I was secretary and treasurer. This society was an interesting institution. Meiggs was not himself a musician, but was passionately fond of concerted music. He had come to California a ruined man, in consequence of his losses as a contractor for the building of the Episcopal Church of the Holy Trinity in Brooklyn, N. Y. He was a man of infinite energy, push and resource. He embarked in the coast lumber business immediately upon his arrival and invested large sums borrowed at 5% per month, in erecting the first big sawmill at Mendocino; he also built Meiggs Wharf at San Francisco. He was generous to a fault and public spirited at the expense of his creditors. When unable to effect further loans without security, he had no scruple in using the plates made for the printing of city scrip (which were in his possession as chairman of the finance committee of the city council) to have a few hundred thousand dollars' worth struck off on his own account; and forging the names of city officers thereto, he pledged them for a heavy new indebtedness. Yet previous to his running away he enjoyed the sobriquet of "Honest Harry Meiggs"! He was indefatigable in working up the new society, built the first music hall[50] on Bush Street near Montgomery, where the Occidental Hotel now stands, for its concert room, and imported the first quartette of professional singers, to render the solos in oratorio. These were Mrs. Laura A. Jones, soprano; Miss Anna Leach, alto; J. B. Beutler, tenor; and one Smith, basso.[51] The Society rehearsed weekly on the "Seasons," the "Creation," and "Opera Chorus Book" for a year before these stars were to join them in public performances. Unfortunately the president and vice-president disappeared before their arrival, so that actually the quartette and the chorus never performed together.

G. J. Hubert Sanders,[52] the vice-president and conductor, was the handsomest and most accomplished gentleman I ever met, and also one of the most atrocious scoundrels. He was a dark brunette, with heavy black hair and beard and very black eyes. He had a magnificent basso profundo voice, which was professionally trained in Germany where he was educated, though of French and English parentage. He spoke fluently nine languages, was of polished manners, a thorough man of the world and completely *au fait* in all the etiquette of refined society. When joined by his wife and daughters, all elegant society ladies of Philadelphia, his house was the headquarters of fashion and extravagance. He was a lawyer by profession, and had a large clientèle among foreigners on account of his linguistic accomplishments. He loaned large sums for these clients generally to himself on forged or simulated mortgages. He paid the interest promptly out of the principal of course, and for two years or so he seemed to be rolling in wealth. But one day he was caught. He at once fled the city and took passage for China on the bark *Elvira Harbeck* which was never heard from. He undoubtedly perished at sea.

When both Meiggs and Sanders had thus "skedaddled" our sixty members looked to me to go next, but I never went, at least not in that way. But the loss of our main spring and regulator was followed by our stoppage, for we could not replace the missing moving power.

In those days the Custom House was known by the nickname of the "Virginia Poor House." Nearly all the officers were from the South or were northern men with southern sympathies. Only a few genuine northerners were employed to do the harder portion of the work. Of these I was one and my duties were unintermittent, laborious and responsible. Inexperienced as I was in counting-house practice, I had everything to learn and my handwriting never looked well in commercial books or anywhere else for that matter. But I had no books to keep, my labor consisting in correcting the entries of merchandise after the returns of the inspectors, the weighers, gaugers, appraisers, and damage appraisers were all in. Fortunately a more accurate clerk than myself occupied the corresponding desk in the Naval Office, where all my calculations were verified, so that the Government never made nor lost anything by my frequent errors; yet that clerk, poor Billy Rundell, lovable, charming fellow that he was, ended his career by embezzlement and drunkenness. He robbed a confiding friend, years afterwards, of $40,000 by a long series of fraudulent entries in his books. The last I heard of him he was keeping sheep in the mountains.

Among my fellow clerks[53] were George Davidson, a fighting son of Kentucky, who left the office to go filibustering in Nicaragua with the famous William Walker; W. H. Graham, the hero of three duels and numerous street fights; A. A. Brinsmade, who was with one of the Umpqua Expeditions and was one of the five who was left behind, exhausted, by the Fiske party; Selim E. Woodworth, afterwards the successful commodore in Farragut's fleet at Mobile and New Orleans; Frank Schafer, the model drill officer and captain of our crack pioneer military company the "Marion Rifles," who afterwards in Washington, immediately after the fall of Fort Sumpter, organized a raid upon the public officers with the object of capturing President Lincoln and his cabinet, which, however, was discovered and forestalled by Gen. C. P. Stone. Marcus D. Boruck was one of us, he of the "Spirit of the Times," the most conceited and noisiest politician of them all. We also included George Pen Johnston, a bright genius, but whose life was blighted by killing Ferguson in a duel. Joseph L. Moody was permit-clerk, a man who never made a mistake, nor was tardy or absent, who had no vices, no passions, and no feelings; who had no enemies and no friends, yet kept his place for ten years, when he invested his savings in the coal business and became a millionaire. But the Government work was poorly done. There was much looseness and favoritism practiced in all the departments. I served under T. Butler King, Beverly C. Sanders and Richard P. Hammond as collectors, during three years in all, and every one of them went out of office defaulters to the Government; not that they stole any of the funds, but it was found impossible to balance their accounts owing to the careless and bungling manner in which they were kept.[54]

Ferdinand C. Ewer was also my fellow clerk; he worked at the desk next to mine and we became very intimate. He afterwards acquired a widespread celebrity as the Rev. F. C. Ewer of ritualistic memory in New York. In 1853 and '54 he was an atheist. He then edited the *Pioneer Magazine*,[55] the first literary monthly published on the coast and I assisted him in the work, for which I wrote articles on the following topics: "A Trip to the Galapagos Islands," "Explorations in Oregon" (three numbers), "Our Divorce Law," "The Odic Force" (two numbers), "Is Spiritism a Science?"—eight articles in all. I have one copy of this magazine. Need I say it is not for sale!

The code duello[56] was of course recognized in the Custom House, filled as it was with southern-born politicians. The pistol, rifle and horsewhip were the ever ready tools for the suppression of calumny and the self-protection of rogues who were not courting investigation. Sheldon's [Sheldon U. Hopkins] popularity was never so great as when he had publicly cow-hided his associate, Assistant-Collector Greene, after in vain challenging him to the field of honor. I forget now what it was all about.

VII.

I have before mentioned my correspondence with the *Courier and Enquirer* of New York. During the year 1852 I wrote 16 elaborate letters which were printed in that widely circulated journal and on which I received many compliments. Thus far the incidents of my own career have so monopolized my narrative as to present a picture without a background or a frame. Yet neither my pioneer experiences, nor those of any other of my co-adventurers can be appreciated unless presented in connection with the business and social conditions that constituted the warp and woof of California life, in which any individual's history was but a single thread. I therefore now suspend the flow of egoism long enocgh to reproduce two of my letters above mentioned. I could not now describe from memory the circumstances that then surrounded me with anything like the accuracy that characterized these letters written at the time. The first was published January 12, 1852.

COMMERCIAL MATTERS ETC.

(From our correspondent)

San Francisco, Dec. 15th, 1851

Progress implies change. Progress as exemplified in England and the U. S. implies rapid changes—changes in modes of thought, changes in methods of action, changes in science, and changes in practice; changes fraught with ruin to many, and laden with fortune's favor to a few. And if such be the case all over the Anglo-Saxon world, where the active and thinking portion of the community are only one quarter of the whole, and where no particular stimulant is applied to their ambition, what must it be when the whole population consists of young, intelligent, and enterprising workers, all goaded on by a sense of present advantages, with a fortune if improved, but fleeting as the morning's mist! Believing that the completion of the rapid revolutions continually and successfully capsizing every department of business in California, can hardly fail to interest your readers, or at least such of them as intend to emigrate hither, I have thought that a few lines on the subject might not be unacceptable.

In the spring of 1849 the only vessels navigating our river waters were small schooners of forty tons or less. These were mostly foreign bottoms, temporarily licensed by a stretch of Custom House law, to engage in the coasting trade in the absence of American tonnage sufficient for the public accommodation. Many of these vessels were old and rotten, yet so profitable as to be seldom valued at less than $6,000. Their rates were $25 for deck passage and found: and forty dollars per ton freight. No time was lost in looking up a freight, for that part of the business took care of itself. Two or three trips could be made in a month, at a gross receipt of about $70 per ton per trip, passage money included. Vessels of this size were therefore in great demand, and continued so until the fall of that year, when a large number of American schooners having arrived, competition lowered the rates to $16 on deck, $25 in the cabin, and $30 freight. In November the licenses to foreign bottoms were all revoked, and that class of property at once became valueless. The few that were fit for sea were withdrawn from port. But the majority were sunk or run ashore in the harbor, where they remain as nuisances to this day.

Meantime the propeller *McKim* and steamer *Senator* had arrived, and on the commencement of the rainy season these boats effected almost a monopoly of the river business. Their charge for passage was $30, for meals $2, berths $5 extra; and for freight $40. The *McKim* was purchased by the late firm of Simmons, Hutchinson & Co. for $60,000 (she was sold at New Orleans to come out here for $7,000), and as her freight list often amounted to $12,000 per trip, she probably paid for herself the first month. Freights per schooners now fell rapidly, so that in a short time $25, $20, and $15 per ton were gladly taken. Many of them were withdrawn and employed in the produce trade from the Sandwich Islands, in which the first vessels made enormous profits in buying potatoes in the Islands at $2 per barrel of 150 lbs. and selling here at 25 cents per lb. by the cargo.

This state of affairs lasted a few months, till the return of spring brought back the regular winds on the river, and an addition to the number of steamers, when competition, as usual elsewhere, soon "ran the business into the ground." At present there are running sixteen steamers on the Sacramento and nine on the San Joaquin. There are fourteen steamers laid up for want of business, and advertised for sale or on execution, or at a fraction of their cost. The *McKim*, after six months' idleness, was gladly sold for $10,000. The Island trade is on its last legs, for the cultivation of California soil has spoiled the market, and the vessels last in have generally not paid their expenses.

The rates per first class steamers on the river the last year have been $1 deck passage, $5 cabin, $1 for meals, $2 for a berth, and $5 per ton for freight. The few schooners that continue running are getting $10 per ton for hay, $5 for heavy freight, and $2.50 for lumber, brick, and ballast. At these rates they can save about as much per month as on the Hudson, for though they get in more money, seamen's wages are still $60 and other expenses in proportion. Steamers, schooners and small ocean craft are now the cheapest articles in the market.

Again in June, 1849, the coarsest article of wagon lumber was worth $750 per M. In September it had fallen to $300, in November to $200, and in May following to $18. In June, 1849, sail-makers did more of the building than carpenters, while masons were forced to confine their labors to the laying of adobes. Now that repeated conflagrations and burglaries have convinced us of the economy of substantial buildings, the tent maker and roof tarer have vanished, while brick and lime kilns have started at many points along the rivers.

The brick business at first was profitable, but already its glory has departed. During this season as much money has been lost as made in it. Lime still pays, but like everything else it will soon reach its minimum of profit. Lumbering, which commenced at several places among the mountains in the spring of 1850, was universally smashed by the wholesale consignments from the East. Of late, however, it is being again attempted, but as yet with very moderate profits.

Before the construction of the numerous wharves which now occupy a large portion of what was the harbor in 1849, many fortunes were made at the business of lightering. Lighters carrying 20 tons were then worth $2,000 and would earn $150 per day. But like everything else, the profits of lightering have become "small by degrees and beautifully less," until now only a few lighters are employed in coaling steamers and ballasting. On the other hand, the wharves that have ejected the lighter men are paying a very moderate dividend, their stocks now varying from fifty-five to ninety cents on the dollar.

(To be continued)

NOTES

38. The fire of May 4, 1851, destroyed buildings between Clay, Kearny, Washington, and Montgomery. Soulé *et al, op. cit.*, pp. 329-33, state that in this space the most precious goods and merchandise were stored.

39. The *Resources of California* began publication in San Francisco in the fall of 1870, as a monthly. It was some eleven inches wide by sixteen long, profusely illustrated with California scenes and portraits of notable persons, and sold for $2.00 per annum or 25 cents a copy. Editor and proprietor was John P. H. Wentworth. Publication office was in the Halleck Building on Sansome Street.

40. This was Capt. John B. Frisbie (of Co. H, New York Volunteers), who married Epifania, the eldest daughter of Gen. M. G. Vallejo, on April 3, 1851, when she was seventeen years old. Bancroft, *History of California*, III, 750, says that Frisbie became a prominent business man of Vallejo, adding that in 1860 he sent the first cargo of California wheat to Europe. E. J. Wickson, *Rural California* (New York, 1923), p. 100, states that this export of wheat by specially chartered ships to Europe "grew into larger fleets, year after year, until the peak of the movement was reached in 1896. . . ."

41. Hopkins is really referring here to two individuals, Dr. Robert Semple and his brother Col. C. D. Semple. Robert Glass Cleland, *op. cit.*, p. 117, vouches for the doctor's great height of six feet eight inches, which so impressed young Hopkins. Soulé *et al, op. cit.*, p. 193, in their entry for March 20, 1847, say that Semple and Larkin, afraid lest their rising town of Francisca on Carquinez Strait might be lost in the name and fame of the newly christened San Francisco, changed its appellation to Benicia. That year Dr. Semple visited the area included in the Bidwell Grant, being very favorably impressed with the vicinity of present Colusa, and when his brother arrived in 1849 the colonel purchased the land on the doctor's advice and, after some trying-out of sites, set about founding the town of Colusa. H. E. and E. G. Rensch and M. B. Hoover, *Historic Spots in California, Valley and Sierra Counties* (Stanford University Press, 1933), pp. 57-58.

42. Jerry MacMullen, *Paddle-Wheel Days in California* (Stanford University Press, 1944), pp. 85-86, mentions Dr. Semple's homemade attempt to participate in the navigation of the upper Sacramento in 1850, when stern-wheelers were pushing on to Red Bluff, the head of navigation. Bancroft, *History of California*, VI, 497, and MacMullen agree with Hopkins that the resulting *Colusa* proved a disappointment.

43. Samuel Whittaker and Robert McKenzie were members of James Stuart's gang, whose trysting-place was at Michael and Mary Ann Hogan's. When Stuart confessed on July 8, 1851, previous to his execution on July 11th, he implicated both Whittaker (second in leadership to himself), and McKenzie. Their execution took place on August 24, 1851. For the series of events preceding this execution, *see* Mary Floyd Williams, *History of the San Francisco Committee of Vigilance of 1851* (Berkeley: University of California Press, 1921), 275-301.

44. On pages 3 and 7 of his report on California ("California: the Wonder of the Age," New York, 1850) to Hon. John M. Clayton, U. S. Secretary of State, T. Butler King says that he first came to San Francisco in June of 1849 on the steamer *Panama*. In this report King refutes accusations that he had secret instructions from the President [Zachary Taylor] to influence the people of California on the subject of slavery. Bancroft *(History of California,* San Francisco, 1884-90, VI, 283) says that "while laboring to bring California into the Union, he [King] had in view the division of the territory by Congress, and that all south of 36° 30′ should be devoted to slavery. . . . The administration paid him well for his services, and rewarded him with the office of collector of customs." See also, below, Note 54.

45. The *San Francisco Directory for the Year 1852-53* (San Francisco: James M. Par-

ker, 1852) lists "G. W. Kinzer" as a register clerk at the Custom House. The name of George Howe does not appear on the list of Post Office employees; it is stated, however, that "temporary clerks are employed on the arrival and despatch of the great Atlantic mails." Brenham Place, named after C. J. Brenham, second and fourth mayor of San Francisco (April and November 1851) under the city charter, was situated on the north side of Clay Street, west of the Plaza. By 1854, the location of the Post Office had been changed to the corner of Clay and Kearny.

46, 47. The Howard Street Presbyterian Church was organized in 1850 in Happy Valley, to supply, as the *San Francisco Directory* for 1858 (p. 375) says, a portion of the city "then destitute of devotional facilities." Its meeting place was dedicated in June 1851 and was said to have been the first public building erected with hard-finished plastered walls. Rev. S. H. Willey was the pastor in 1852 and for several years afterwards. The First Unitarian Church was also organized in 1850, but its building, on Stockton Street near Sacramento, was not dedicated until 1853. (Soulé, *et al*, *op. cit.*, p. 456, with illustration.) Among the original officers of the Unitarian Society was James King of William. Rev. Joseph Harrington, the first minister, died in 1852 and was succeeded by Rev. F. T. Gray, who returned to Boston and was in turn succeeded by Rev. R. P. Cutler, who served 1854-59. Thomas Starr King came in 1860. A new and handsomer church was built in 1862-63 at Geary and Stockton Streets. (Bancroft, *op. cit.*, VII, 729.) In March of 1864 Starr King died and was buried in the yard of his church by special permission of the city officials, "that the sight of his tomb," John S. Hittell *(The History of San Francisco,* San Francisco, 1878, p. 350) says, "might serve as a daily reminder of him and of his words and works to the people."

As to the musical instruments of the day, the California Historical Society, thanks to the generous gift of Mrs. Dulce Bolado Davis of Tres Pinos, granddaughter of Don José Abrego, owns and has on exhibit one of the first three pianos brought to California. "Piano fortes" appear among the advertisements in the directories of the early 1850's, for sale by such firms as Atwill & Co., Woodworth & Co.; and Salvator Rosa, importer of musical instruments, in addition to pianos mentions melodeons and "organs, for parlor or church, double reed aeolians," etc. (LeCount & Strong's *San Francisco Directory for 1854*, S. F. Herald Office, 1854.) Robert Farren & John McCraith, "organ builders," at Broadway and Hyde, are among the advertisers in the 1858 *Directory*. At the time that Calvary Presbyterian Church on Bush Street near Montgomery was finished in December 1854, a large recess was constructed in the rear of the gallery "in which to place a fine organ" (Colville, *San Francisco Directory*, 1856-57, p. 31). This hope was realized. *The Music of the Gold Rush Era* (San Francisco, 1939, p. 39), discussing church music in 1856, says that G. T. Evans of Calvary Church was the best paid organist in the city; that this church possessed the largest and best organ on the Pacific Coast, built by Henry Erben of New York, which had 46 stops, over 2,000 pipes, and was installed at a cost of $8,000. At St. Mary's there was "a small, plain organ, evidently not intended for the finished church." The Methodist Episcopal Church had a "sweet toned melodeon." Relevant perhaps to the subject of organs, one notes that the pseudonym of Stephen Massett, contributor to music criticism in the *Pioneer* of 1854, was "Jeems Pipes of Pipesville." *(An Anthology of Music Criticism,* San Francisco, 1942, pp. 14 *ff.)*

48. Henry Meiggs was born in Catskill, New York, in 1811. When 21 years old he went to New York City, entered the lumber business, and within three years was sufficiently well off to play patron to the arts. But the panic of 1837, brought on by speculation in public land, reckless spending, and the formation of wild-cat banks, hit him sharply, and when the news of the California gold discovery reached the East, Meiggs saw that the chance to recoup his losses lay in his own business, namely, shipping lum-

ber—this time around the Horn. He arrived in San Francisco in July 1849. But ease of conscience in borrowing, combined with what Watt Stewart *(Henry Meiggs, Yankee Pizarro,* Durham, N. C., 1946, p. 17) calls his "overweening optimism"—which was characteristic of his times but in his case was an old habit become riotous on the new frontier—was carried to such lengths, especially in North Beach real estate, that by 1854, though three times an alderman and one of three elected from his ward to revise the city charter, he was forced to take the measures described by Hopkins. (See also Bancroft, *op. cit.*, VI, 765, Note 22.) Colville's *Directory (op. cit.*, pp. xxvii and xxxiii), in extenuation, points to the corruption within the city, and more specifically to that of the other two members from his ward serving on the charter revision commission. T. A. Barry and B. A. Patten *(Men and Memories of San Francisco in the "Spring of '50,"* San Francisco, 1873, p. 237) go farther: "Music, art, charity and society," they say, "met with a great loss in the absence of Mr. Meiggs. . . . We believe no man ever went away from among us more sincerely regretted, and if he were to return, we are sure that his reception would be an ovation." Under the skies of another hemisphere an ovation was in truth waiting: A. F. Pradeau ("Numismatic Records of the California Adventurer, Henry Meiggs," in *Numismatic Review,* I, March 1944, 5-7), describes four medals struck off in Chile in commemoration of Meiggs' railroad construction work there during the 1870's, one particularly handsome medal celebrating completion of the viaduct at Verrugas, at 15,645 feet elevation (Mt. Whitney is *only* 14,501 feet). (For Meiggs' South American experiences, see also Mary M. Harker, " 'Honest Harry Meiggs'," this QUARTERLY, XVII, September 1938, pp. 195-207.)

In the matter of the wharf at North Beach, Mary F. Williams *(History of the San Francisco Committee of Vigilance of 1851,* Berkeley, 1921, pp. 166-67) points out that her father, Edwards C. Williams, and John G. Meiggs owned the original planing mill and small wharf at North Beach, and that this wharf was replaced by a larger one, projected by Henry Meiggs, John's brother.

49. Hopkins is too modest about the fortunes of his Philharmonic Society. Its work did not wholly come to naught with the running down (or away) of its motive power, Meiggs and Sanders. Soulé *et al (op. cit.*, p. 493) mention the Philharmonic among the societies functioning in 1853; and the *Daily Herald* of July 27 of that year (quoted in *An Anthology of Musical Criticism, op. cit.*, pp. 10-12) says: "A portion of the Philharmonic Society, consisting of about forty members, appeared in the chorus. They sang with spirit and with scarcely a jar. A stronger chorus would be an advantage next time." *The Music of the Gold Rush Era (op. cit.*, pp. 64-65) enlarges on the subject. It says that the Philharmonic was well under way by the end of 1852 and calls it the first musical organization to assume a prominent place in the city, being composed of the best musicians and amateur singers in the city at that time. "An early triumph of the Philharmonic Society" is said to have occurred in July 1853, in conjunction with the Pacific Musical Troupe, at the first concert in the new Musical Hall. Henry Meiggs is given as the first president, and George Loder as "musical director." Very probably G. J. Hubert Sanders led the singing contingent, with his "magnificent basso profundo voice," as Hopkins terms it.

50. It was called both "Music Hall" and "Musical Hall." Soulé *et al (op. cit.*, p. 664), in a general discussion of the city's public amusements, observe that "A large Music Hall has been erected in Bush Street, near the corner of Montgomery, by Mr. Henry Meiggs, and here quiet folk are entertained with concerts, oratories, lectures, fairs, and the like." The *Daily Herald (ibid.)* refers to it as the "New Musical Hall on Bush St.," and describes it as "luxurious," with a seating capacity of 1200 patrons. In the San Francisco *Directory* for 1854 it is listed as "Musical Hall."

51. ". . . one Smith, basso," is probably either I. C. Smith or J. Connor Smith. As to the contralto, Hopkins may be confusing the first name "Anna" with that of the popular singer Anna Bishop, as Miss Leach is usually spoken of as Maria Leach or simply as Miss M. Leach.

52. G. J. Hubert Sanders, attorney, 98 Merchant Street, is listed in the 1852 *Directory;* and, among the advertisements, as "Sanders (G J H) and Parker (Sam'l H), counsellors-at-law, notaries public, and commissioners for New Hampshire." In the 1854 *Directory* his residence ("h") is given as Dupont and Lombard; the name does not appear in the directories after 1854, and by 1856 his former partner, S. H. Parker, has new affiliations, viz., Gunnison, Parker and Cowles, attorneys-at-law and searchers of records, at 92 Merchant Street. (Colville's *Directory* for 1856.)

53. The location of the Custom House offices was at first at the Old Adobe on Portsmouth Square. The next building to be occupied was on the southwest corner of California and Montgomery, but this was burned in the great fire of May 4, 1851, necessitating erection of a new one on the corner of Kearny and Washington. (Bancroft, *op. cit.*, VII, 140, note 26; see also, below, Note 54.) In November 1853, what Soulé *et al (op. cit.*, p. 473) refer to as "the large and elegant building called 'Custom-House Block'," at the southeast corner of Sansome and Sacramento streets, was completed and partially occupied. It housed also offices connected with the Navy Department, etc. The next location was on the west side of Battery, between Washington and Jackson—a familiar address.

Of Hopkins' fellow clerks: "Billy" Rundell is listed as Wm. M. Rundell, clerk, under "Naval Office" in the 1852 *Directory;* in 1854 he has become entry clerk in the same office. George [R.] Davidson, a member of the Society of California Pioneers, February '49 arrival, appears as a warehouse clerk among Custom House employees. He was first lieutenant of the Marion Rifle Corps (Soulé *et al, op. cit.*, p. 707). For Davidson's "companion in arms," William Walker—*Daily Herald* associate-editor, Marysville lawyer, filibuster, "President of the Republic of Lower California"—see Robert G. Cleland, *History of California: The American Period* (New York, 1923), pp. 332-38; R. K. Wyllys, *The French in Sonora* (Berkeley, 1932), pp. 162-65.

W. H. Graham, a member of the 1851 Committee of Vigilance, is described by Mary Williams *(op. cit.*, p. 444) as a man of "notable pugnacity." In January of 1851, she says, he fought a duel with William Walker; and in July of that year his self-esteem was disturbed by George Frank Lemon, one of two city assessors elected in April 1851.

A. A. Brinsmade appears in the 1852 *Directory* as entry clerk at the Custom House, and in 1854 as clerk in the county recorder's office at the City Hall. Hopkins says he was with the Umpqua expedition (see this QUARTERLY, XXV, June 1946, pp. 115 and 119, where the initials in brackets are given as "P. A.," Peter A. Brinsmade being one of the argonauts of 1849. The bracketed initials are evidently in error). P. A. Brinsmade, whose name does not appear in the 1852 *Directory*, is mentioned in the 1854 edition as agent for claims against the U. S. Government and conveyancer, office at 148 Montgomery Street.

Selim E. Woodworth I, son of Samuel Woodworth (author of the "Old Oaken Bucket") and a former naval officer, crossed the continent and entered California from Oregon in the winter of 1846-47. Almost immediately he went to the relief of the Donner party; joined the navy again for the War with Mexico; became state senator, and was successively Civil War naval officer, president of the Committee of Vigilance of 1851, and an operator in the lighterage business in San Francisco Bay. (Z. S. Eldredge, *The Beginnings of San Francisco*, San Francisco, 1912, II, 707-08; Soulé *et al, op. cit.*, pp. 794-98.)

"Frank Schafer," Custom House warehouse clerk, is undoubtedly Frank B. Schaeffer, who was captain of the Marion Rifle Corps (armory at the corner of Jackson and Dupont) at the time G. R. Davidson, mentioned above, was first lieutenant. The corps was organized May 14, 1852. (See 1854 *Directory*, pp. 262-64, for an account of the independent companies; also Soulé *et al*, *op. cit.*, pp. 702-08; and Bancroft, *op. cit.*, VII, 454-55, note 11.)

Marcus D. Boruck, an arrival in California in 1850, is listed as entry clerk in the Custom House in the 1852 *Directory*. While employed there he served as secretary of the Volunteer Fire Department. Carl I. Wheat, ed. of the journal of Charles E. DeLong, under title of "California's Bantam Cock" (this QUARTERLY, VIII, September 1929, through X, 1931), gives on page 68 of Volume 10 a brief account of Boruck's life; and on page 45, DeLong himself speaks of attending a collation given to M. D. Boruck by the San Joaquin Engine Co., No. 3, where he "had a splendid time." On April 7, 1855, the *Fireman's Journal*, edited by Boruck and published by George M. Chase from 156 Clay Street, made its appearance. In 1859 Boruck and Chase merged it with the *Spirit of the Times*, a weekly sporting, literary, and news sheet, published by S. T. King & Co., 113 Montgomery Street, which was similar in type to their *Fireman's Journal*. In 1867 Chase retired from the partnership, leaving Boruck as sole proprietor and editor until his death in 1895. ("Continuation of the Annals of San Francisco," Dorothy H. Huggins compiler, this QUARTERLY, XV, September 1936, 277; and the San Francisco *Directory* for 1858, pp. 386-87.)

George Pen Johnston appears as register clerk in the 1854 Custom House list. During the spring of 1855 he was a member (Democrat) of the legislature, at the end of the session being appointed a clerk in the U. S. District Court. According to social designation he rated as one of the beaux of the period and moved among "people of public distinction." His duel with William I. Ferguson (lawyer and politician, who, it was said, did not as a youth "love to fight with boys; too much good-will and sense") occurred August 21, 1858, on Angel Island, and the outcome was said to have "cast a gloom over everything." (Carl I. Wheat, *op. cit.*, IX, December 1930, 358, 387-88; Bancroft, *op. cit.*, VI, 729-30; "Continuation of the Annals of San Francisco," *op. cit.*, XIX, September 1940, 231, 236; *Representative and Leading Men of the Pacific*, edited by O. T. Shuck, San Francisco, 1870, p. 320.)

Joseph L. Moody was a member of the Pioneer Association of San Francisco, coming to California overland in April 1849 with a company from Pennsylvania. (C. W. Haskins, *The Argonauts of California*, New York, 1890, pp. 363 and 403.)

Beverly C. Sanders, collector of the port of San Francisco, 1852-53, Sheldon U. Hopkins being deputy collector, was president of the San Francisco Gas Company organized in 1852, and one of its trustees along with J. M. Moss, James Donahue, John H. Saunders and John Crane. (Soulé *et al*, *op. cit.*, pp. 518, 738.) While collector he went into the banking and exchange business with Mayor C. J. Brenham (Note 45, above), under the firm name of Sanders & Brenham. Richard P. Hammond, California arrival of 1849 who laid out the town of "New York" at the mouth of the San Joaquin River for Col. J. D. Stevenson, succeeded Beverly C. Sanders as collector after the Democratic victory in 1852. Hammond later became interested, along with another collector of customs, Milton S. Latham, in financing the California Pacific Eastern Extension Co., and was president of the California Pacific R. R. Co., a branch of the Southern Pacific, in the 1890's. (Bancroft, *op. cit.*, VI, 585, note 36, and VII, 633, note 41.) When Hammond succeeded Sanders as collector, S. U. Hopkins became statistical clerk and Caspar Hopkins deposit clerk. The latter was living at that time on Stockton Street between Clay and Sacramento (San Francisco *Directory* for 1854).

54. The affairs of the Custom House were treated in lighter vein in a ditty composed

by Frank Ball. It had its inspiration in T. B. King's spectacular defense of the Custom House treasure when it was being moved to the new location after the fire of May 4, 1851. Bancroft *(op. cit.*, VI, 283, note 59, and VII, 140, note 26) says frankly that "King made an ass of himself, generally" at the time. Soulé *et al (op. cit.*, pp. 334-38) print the verses, entitled "The King's Campaign; or, Removal of the Deposits," in full. Only one is quoted here:

> "In process of time this hero bold
> Had collected lots of silver and gold,
> Which he stuck away in a spacious hole,
> Except what little his officers stole."

King straightway offered Ball a position in the Custom House, if he would stop singing his little song. A more serious account of King's and his predecessor's, James Collier's, schemes for filling their pockets is given in Bancroft *op. cit.*, VI, 673, note 50. "It was a long time," he remarks, "before King's accounts were settled." The Custom House existed in a maze of politics. David C. Broderick tried to bring pressure on Collector Hammond, a Southern sympathizer, when he refused to contribute to the state campaign of 1853 (John Bigler, Broderick's nominee, elected). The Democrats had invoked the financial aid, Broderick said, "of those who held appointments under the government at Washington. But, except in a few honorable instances, our hopes were in vain." (J. S. Hittell, *op. cit.*, p. 286.)

55. F. C. Ewer, a native of Nantucket, Massachusetts, and a graduate of Harvard College, reached San Francisco on September 16, 1849, on the *York* via Cape Horn. Newspaper work kept him busy for some time. Then, to quote from Henry R. Wagner ("The Life of Ferdinand C. Ewer," May 22, 1826 - October 10, 1883," Part 1, this QUARTERLY, XIII, December 1934, pp. 291-300; Part 2, *ibid.*, XIV, March 1935, 74-79): "After the election of Franklin Pierce as President, Ewer began to look for a political job in the Custom House, no doubt as a reward for his services to the party" [as editor of the Sacramento *Transcript*, which had become a Democratic organ]; and on the first of July 1853 he received the appointment of warehouse clerk in the Custom House from Major R. P. Hammond, at a salary of $250 a month. (p. 299.) In 1856 Collector M. S. Latham removed him from his position in order to give it to a brother of State Senator B. D. Wilson, "but on being remonstrated with by the deputy collector and one or two clerks, he reinstated Ewer in about a week." (p. 76.) Ewer stayed at the Custom House until April 27, 1857. At the same time he was studying for the ministry, after attending Trinity Church (where, by the way, he sat in Henry Meiggs' pew). In April of 1858 he succeeded Bishop Kip in the rectorship of Grace Church, and two years later, after preaching a farewell sermon, he left his ministry in San Francisco for New York, never to return. (See also William Ingraham Kip, *Early Days of My Episcopate*, New York, 1892, p. 98.)

Ewer's relation to the *Pioneer* is described by Wagner *(op. cit.*, pp. 74-76). The first number of the new magazine appeared in January 1854, but Ewer tired of editing it. Besides, he had to give his time to his theological studies, and in December 1855 it discontinued publication. In connection with the compilation of the "Continuation of the Annals of San Francisco," *op. cit.*, readers of the QUARTERLY will remember that Part 1 (XV, March 1936) - Part 5 (XVI, March 1937) were adapted from the "Monthly Summary of Events" in the *Pioneer*, vols. II - IV (1854-55).

56. Major Ben C. Truman *(The Field of Honor*, New York, 1884, p. 78) says: "There have been more fatal duels in California (fought according to the code duello, or similar regulations) than in all of the other so-called Northern States; and between the years 1850 and 1860 more fatal encounters took place in the Golden State than elsewhere in

the Union during the same length of time." Immigrants to California commonly carried weapons of defense; this, combined with drink, prompted Soulé *et al (op. cit.,* pp. 364-65) to remark: "The number of duels, and especially of sudden personal affrays, was fearfully great." Legislative attempts to stop it were made. William M. Gwin had a proposition which he submitted to the committee appointed to report on a state constitution at the convention of 1849: he insisted that there was but one thorough remedy and "that was that no man should be eligible to any office in the State who had been engaged, as principal or second, in a duel, and that every officer, before entering upon the discharge of the duties of his office, should take an oath to that effect." His proposal was lost and another, less radical, was passed. ("Memoirs of Hon. William M. Gwin," edited by William Henry Ellison, this QUARTERLY, XIX, March 1940, 9-10.)

Principal Actions of the California Junta De Fomento, 1825-1827

Translated by Keld J. Reynolds

(Concluded)

(Continuation of [VI.], INITIATIVE PLAN OF GOVERNMENT)

ECCLESIASTICAL GOVERNMENT

1. The illustrious bishop of Sonora will place in each territory a *vicar forane* with full authority in all ecclesiastical matters, while an episcopal seat is being established for both Californias, located where it will be most convenient.

2. The necessary curacies will be set up, each of the missions being so constituted; and in order that the clergy and members of the religious orders may serve them well, in the future no Spaniard is to be appointed to replace the present missionaries.

3. To each priest will be assigned an income sufficient to support him and his vicars so they will not require remuneration nor fees from the parishioners for baptisms, marriages and burials.

4. The priests will be ecclesiastical judges in their respective parishes, and whenever they take action it must be before two witnesses and without demanding fees.

5. No case is to be decided definitively; for final decision it must be sent to the *vicar forane.*

6. In all matters they are to proceed paternally, trying to settle differences in a conventional manner, except in matters of conscience, in which they will proceed according to canon law.

7. To each parish will be assigned the incomes necessary for the expenses of worship, without prohibiting the voluntary offerings the citizens may wish to make.

8. No custom is to be introduced which will require the inhabitants of the Californias to make offerings, no matter how pious they might be, even when they are said to be necessary; and neither time nor the willingness of the citizens themselves can give them any weight or virtue.

9. Personal service is not to be given to the church or its ministers, nor to any other person; and the lieutenants of the towns, the councils, their *alcaldes,* the Council of Government and the governors, will be responsible before the law for any contravention or dissimulation in this respect.

Note: The missions and colonization are not spoken of, because the junta is withholding the plan it proposed and the government approved, for separate presentation to the chambers of Congress.

MILITARY GOVERNMENT

1. For the present, and until the superior Congress rules otherwise, the

governor of Upper California and the lieutenant governor of Lower California will hold the military command.

2. For the dispatch of their business they will have a secretary and four assistants or aides-de-camp appointed at their pleasure.

3. It will be their responsibility to see to the most exacting observance of the military ordinances.

4. The chief and the troops are not to hide from each other any lack or weakness; particularly at the frontier posts is this order to be obeyed.

5. The latter must always be well stocked with provisions and in communication with the interior in order to prevent all surprise, and be well fortified and stocked with military stores.

6. The troops in active service which the Most Excellent President of the republic will assign to the Californias, will be under the direction and orders of the respective governor and lieutenant, and the military officers will be subject to them in everything.

7. For the present and until the settlements are put on a respectable footing, all the inhabitants of California between the ages of sixteen and sixty years are to be considered members of the active militia, and therefore in every town on one of the monthly holidays they will present themselves for assembly.

8. According to the distribution to be made by the military governors, the towns will name sergeants, sub-lieutenants, lieutenants, and captains, before whom the others must pass in review at each assembly, to see if they have arms and the other necessary equipment.

9. In proportion to the strength of each town, the inhabitants needed for the service will be inducted into the cavalry or the infantry.

10. In case of urgent necessity demanding that the armed forces sally from any town, a detachment shall be left for defense.

11. The town councils will inform the governor and lieutenant when it is time to establish the local militia.

12. Both territories will arm themselves with the necessary artillery for campaigning as well as saluting, and active militia companies of artillery will also be established.

13. In each territory there will be a commissioner of war, who will review the troops once every two months, reporting results to the military governor, who in his turn will report to the Most Excellent President of the republic through the appropriate minister, so that at all times an exact report of the armed force can be counted on.

14. In each of the territories of California there will be a military academy, to which officers will go twice a week for military instruction, being excused from active duty on that day.

15. The batteries at the ports of San Francisco, Monterey, Santa Barbara and San Diego are to be put in the best condition for defense.

MARINE

1. The nearness of the Russians located at the port of Bodega, less than one degree from the important and famous port of San Francisco, requires a maritime force to guard all the southern coast of California, to defend the fisheries of all kinds, the seals, whales, sea-otter, pearls, and the coastal trade which can be carried on from the port referred to as far as Mazatlan de los Reyes, which will be very important to the nation, as well as protecting the commerce which can be had with Peru and other points of that continent and of Asia.

2. It would be very practical to move the San Blas naval station to the port of San Carlos of Monterey, because of the greater abundance there of provisions, lumber, hemp and pitch, and the better climate, which makes it less costly and more profitable.[117] While this point is being decided by the national Congress, serious consideration should be given to putting that coast in a state of defense with an adequate trained force of gunboats and war schooners, continually patrolling the coast under the command of active officers, reconnoitering the ports and islands and protecting the coastal trade.

3. The gunboats should be based at the ports of San Francisco and Monterey.

4. These can be built at the last-named port, four to six carpenters being brought up from San Blas for the purpose, with the iron, canvas and sailcloth needed; the rigging and the working cordage and cables can be made there.

5. A marine commandant will be appointed for the territory of Upper California, and another for Lower California: both are to work always in perfect harmony with the governor of the territory in matters pertaining to their service.

6. The establishment of a provision supply as well as one for the materials for the servicing of the ships is to be the first concern of the marine commandant, for ships of war as well as for those of Mexican nationals engaged in fishing or coastal trade.

7. The naval forces considered necessary to defend and guard the territories are: two frigates, two barkentines and two war schooners, with their respective equipment, crews and fighting men, two commandants with the titles of first and second, with two adjutants who will alternate in reconnoitering the coast and islands and protecting the coastal trade expeditions.

NOTES:

1. Without this force the nation will suffer many evils from its course, because the Russians navigate the rivers and do an extensive business with the barbarian natives, providing them with arms in exchange for skins of the sea-otter, beaver, seal, bears, deer, and for kidney fat, grain, and other commodities on which information is not at hand. The cost of the navy will be

small because the daily ration is figured at ten *reales* a month, and the lumber, hemp and pitch are abundant.

2. It is very useful to the nation to have a body of seamen on the southern route, in case of invasion. The merchant marine can serve with them in case of war.

3. Communication and commerce with Peru and Asia are very profitable; and it is more than a remote possibility that the nation will see itself obliged to close its northern ocean ports to the European nations, and direct its commerce exclusively through the South Sea.

PUBLIC FINANCE

1. There is no effective branch to handle it. For six years from the publication in California of the law intended to regulate it, the inhabitants will not have to pay the tenth, nor any land or maritime tax.

2. On all the goods taken from the territory by land or sea, no tax is to be paid. They will not pay for any kind of fish, pearls or sea-otters, nor for the business of any furrier.

3. During the same period they will be excused from paying the fifth on the silver, gold and other metals from the mines discovered and worked.

4. The California treasury can be furnished from the goods imported or exported by foreigners, who will pay the maximum duties set by the current rate-books for the nations: for this purpose two ports will be designated, Monterey in Upper California and Loreto in Lower California; and only through these ports will foreigners be permitted to trade.

The other branches will be the following:[118]

National cattle
Mission surplus
Pay allowance
Salt control
Mail service
Tobacco monopoly
Gun powder monopoly

1. The production of cattle and the mission surplus is to remain intact; the base is not to be distributed except for colonization or for the allowance assigned to the federal government.

2. Under Spanish rule the pay earned by the troops of the presidial companies exceeded 90,000 *pesos:* actually it should go twice as high.[119]

3. After the six years of exemption from the payment of taxes, they will begin to pay, but with reductions which may reach one-third, and a half of the ecclesiastical tenth. It will be collected by the national treasury, and with it will be paid the civil list, church expenses and the military in the two branches, the army and navy.

4. This tax reduction for new settlers will continue for another six years; when the time is past they will pay the same annual taxes as the other citizens of the federation.

5. The governor of each territory will be for the present the director of the public finances, acting with the approval of the council; and each quar-

ter he will send to the Most Excellent President of the federation a report of his stewardship.

6. There will be an auditor and a treasurer with four clerks.

7. These last four positions can be given to retired officials and soldiers who live in these lands; by thus making a small addition to the pension they are receiving they will be well paid.

8. It will be ordered by the finance ordinance that these matters are to be regulated in harmony with the particular circumstances in both territories, and that they are to be subject to approval by the Most Excellent President of the federation.

9. The accounts of the public treasury will be reviewed annually by the Council of Government of the superior political chief, who will report on its administration, the report to be forwarded to the Most Excellent President of the federation.

COMMERCE

1. Interior and external commerce will be protected and favored in every way possible.

2. At the close of the first six years of excused taxes, there will be custom houses only at the ports, and none in the interior, in order to encourage in this way the trade of the towns with one another.

3. This favor will be temporary and will continue only as long as the government sees fit to permit it in the territories.

4. Foreigners will not be permitted to engage in coastal trade, which will be confined to citizens under the existing laws. To encourage them certain exemptions may be granted.

5. Every effort will be made to encourage the establishment of a commercial company[120] made up of citizens of the federation, who will apply themselves to the proposal,* but foreigners will not be permitted direct commercial relations in the regions where companies are formed, though they are to be permitted to buy stock in the said companies if they so desire.

6. To be encouraged are pearl fishing and the taking of sea-otter, whales and seal, the last to promote the fats business; also fishing for sardines, herring, salmon and other tasty fish, which dry or pickled can produce great profits.

7. Experience will gradually show what is to be done to promote commercial prosperity.

8. For the present a board of commerce and agriculture will deal with these matters while promoting corporations are being formed, the governors of the territories appointing the members of the former.

Mexico, May 12, 1827.

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*Refers to the project for direct trade with Asia, presented by Tamariz.

SUBDIVISION

of the territories of Upper and Lower California[121] into four districts which the second committee[122] of the Junta de Fomento thought necessary in order to facilitate the establishment, in the shortest time possible, of the new government and administration of justice.

Districts and their names:

1. Monterey	3. Santa Barbara
2. San Francisco	4. San Diego

Limits of the First

It is the land lying between the parallels of the point of *Nuevo Año* in latitude 37° 9′, and the inlet of the salt marshes at 35° 20′; the distance in leagues being 43 following the lines of NNE, and 15 leagues from the shore inland from west to east.

The presidio and missions which occupy it:

Presidio	*Missions*	*Neophytes of Both Sexes*
San Francisco [*sic*]	San Carlos	41 [*sic*]
	La Soledad	532
	Santa Cruz	499
	San Juan Bautista	1,222
	San Antonio	1,834
	San Miguel	926
	San Luis Obispo	467
	Total	5,821

The district is small compared with the great total area and has only 645 square leagues, yet its population of 5,821 neophytes amounts to 7⅓ [*sic*] per league.

The Second District and Its Limits

This district forms the part of the territory found between the parallels of the point of *Nuevo Año* and the one on which should be located the boundary line between our States and those of the republic of the north; but actually, because the northernmost establishment we have in that territory is the San Rafael mission, it will be wise for the parallel which passes through the mission to serve as the district boundary, for the provisional establishment of its civil administration; its extent from north to south is 20 leagues, and the same from west to east.

Presidio, missions and their populations:

Presidio	*Missions*	*Neophytes of Both Sexes*
San Francisco	San Francisco	958
	Santa Clara	1,394
	San Jose	1,620
	San Rafael	830
	Pueblo of San Jose	...
	Total	4,802

The restricted occupied area which this district has at present, has no more than 400 square leagues, and having 4,802 neophyte inhabitants, it follows that there are 12 individuals per league.

The Third District and Its Limits

The northern boundary of this district is the parallel on which is located the mouth of the salt marsh or 35° 29′ north latitude, and on the south the boundary is the line running through the San Andres Cove, situated at 33° 45′, the distance from north to south being 50° 15′ [*sic*], and from west to east it is 15 leagues: in the Pacific Ocean it includes the Farallon de Lobos Islands, San Cleto, San Antonio and Santa Barbara.[123]

Presidio, missions and their populations:

Presidio	*Missions*	*Neophytes of Both Sexes*
Santa Barbara	Santa Barbara	1,010
	Santa Ines	582
	La Purisima Concepcion	764
	San Buenaventura	973
	San Gabriel	1,523
	San Fernando	1,001
	Pueblo de Nuestra Señora de Los Angeles	...
	Total	5,853

Because they fall between the boundary parallels, the islands of San Ambrosio and Guentuebuena belong in this district: the developed part, or that which the federation holds, has 750 square leagues, dividing this into 5,853, the number of neophytes, shows there are $6\frac{6}{7}$ [*sic*] individuals to the square league.

The Fourth District and Its Limits

The lands of this district lie between the line on which is situated the San Andres Cove and the one over the mission of Santo Tomás at 31° 40′, the distance from north to south being 46 leagues, and 15 from west to east; it has in the ocean the islands of Santa Barbara, San Nicolas, Santa Catalina and San Clemente, which, with those of the third division, form the Santa Barbara Channel.

Presidio and missions which occupy it:

Presidio	*Missions*	*Neophytes of Both Sexes*
San Diego	San Diego	1,697
	San Luis Rey	2,663
	San Juan Capistrano	1,052
	San Miguel	300
	Total	5,712

For the same reasons as were shown in the third district, the islands of Santa Barbara, San Nicolas and Santa Catalina belong to it. The area of the developed part, small by comparison with the total, is only 695 square leagues, and because there are 5,712 neophytes, this leaves 7½ [*sic*] to the square league.

Summary of areas and inhabitants of the four districts:

Districts	*Square Leagues*	*Number of Neophytes*
1. Monterey	645	4,821 [*sic*]
2. San Francisco	400	4,802
3. Santa Barbara Channel	750	5,853
4. San Diego	695	5,703 [*sic*]
Totals	2,490	22,188 [*sic*]

From the above summary, barring errors, it follows that for each occupied league in the territory there are 18½ [*sic*] neophytes; but since this number does not include the troops and their families, retired military personnel and their families, old settlers, convicts who have served their time, and those known as *gente de razón,* it is necessary to give consideration to the number of these people, and to the fact that many of them are in possession of lands acquired under former governments.

NOTES:

1. The parallel dividing the territories of Upper and Lower California is the one on which the mission of Santo Tomás is situated, which formerly belonged to the lower territory.[124] In view of the fact that the fourth division is the center of the developed portions of the peninsula, the committee considers it necessary for political and other advantageous reasons to unite or centralize in it the greatest possible population and strength, principally if it is remembered that this section borders upon the Colorado River and is therefore the throat of the peninsula; for these reasons there have always been many who have called the attention of the government to the necessity of constantly watching its movements there.[125]

2. The mission of San Rafael in the second district, is, as has already been shown, the northernmost settlement, and is 8 to 10 leagues from the port of Bodega which is permanently occupied by the Russians, and while this obstacle remains in the territory, occupation cannot go freely forward to the still-to-be-verified boundary line of the United States of the North.

DIVISION OF TERRITORY OF LOWER CALIFORNIA IN FOUR DISTRICTS

Districts and their names:

1. Loreto
2. Cape San Lucas
3. Santa Gertrudis
4. San Pedro Mártir

Limits of the First District

This district lies between the parallel on Magdalena Bay, at 24° 38′, and the one on Point St. Hipólito, at 27° 5′, the distance from north to south being 45 leagues, and the width from west to east being the total distance from the shores of the Pacific Ocean to those of the peninsula, bathed by the Gulf of California, or from 16 to 17 leagues.

The presidio and missions in it:

Presidio	*Missions*
Loreto	San Francisco Xavier
	San José Camandu
	La Concepción

The area of the district is 742 square leagues, and includes the gulf islands of San José, San Diego, Santa Cruz, San Marcial, Santa Catalina, Carmen, and other smaller ones.[126]

Limits of the Second District

The land of this district lies between the parallel of Magdalena Bay and one at Cape San Lucas, the latitude of the cape being 22° 45′, and it measures a distance from north to south of 37 leagues, and a width from coast to coast, or from west to east, of 16 leagues.

The missions and settlements in it:

San José del Cabo
Todos Los Santos
Real de San Antonio
San Luís

The area between the boundary lines of the district is 592 square leagues, and includes the islands of Espíritu Santo and Serralvo.

Limits of the Third District

This district ends on the south on the line of San Hipólito Point, and on the north at Las Canoas Cove, the distance from north to south being 45 leagues, and 23 to 25 leagues from west to east, which is the width of the land from coast to coast.

The missions and settlements in it:

San Ignacio
Santa Gertrudis
Pueblo de Mulego

The area of the district is 1080 square leagues and includes the western islands of Cerros, Natividad y Guadalupe and San Benito, and the gulf islands of Galápagos, Tortuga, San Sigismundo and Salsipuedes, although the last three are on the coast of Sinaloa.

Limits of the Fourth District

This district is bounded on the south by the parallel running through the cove of Las Canoas, and on the north by the one on which is the Santa Tomás mission, at 31° 42′, the distance from north to south being 47 leagues, and 32 leagues from west to east, which is the greatest width of the land, the least being 25.

The missions in it:

San Francisco de Borja
San Fernando
Rosario
San Pedro Mártir
Santo Domingo
San Vicente
Santa Catalina
Santo Tomás

The area of this district is 1054 leagues: it includes Angel, the island which forms the Ballenas Channel, and the island of Las Animas de San Lorenzo, and on the coast of Sinaloa the island of Tiburón. All the islands are in the gulf.

Summary of the district areas:

		Square Leagues
Area of the First,	Loreto	742
Area of the Second,	Cape San Lucas	592
Area of the Third,	Santa Gertrudis	1,080
Area of the Fourth,	San Pedro Mártir	1,054
	Total	3,468

NOTES:

1. The committee has not been able to determine the number of neophytes in this territory because it has not been possible to get a report of them.

2. Likewise, the committee is ignorant of the number of troops, settlers and *gente de razón* to be found there, because in the report which Don José Manuel Ruíz[127] made to the supreme government on January 12, of last year, he was silent as to the number of inhabitants in each mission and town; but in various other documents there is some indication that the total number of inhabitants of the territory will not exceed 4,000 souls, most of them being soldiers, settlers, and *gente de razón*.[128]

3. Finally, wishing to support its proposal to divide the territories with the boundaries indicated, the committee[129] has examined not only the geographical map of the coasts prepared by the scientific expedition of the Spanish corvettes,[130] undertaken and made public in the year 1792, a most exact map which the English have copied, but it has also examined very carefully the reports and notices it has been able to obtain, in order to secure the greatest possible equality in dividing the district, combined with the most profitable apportionment of products, ports, bays and islands, so that, lacking none of the many aids which nature lends to such a beautiful land, each by itself and all together, they may arrive at the peak of their prosperity as quickly as the dawn heralds the day.

Mexico, June 26, 1826. Francisco de Paula Tamariz. Pedro Dionisio de Cárdenas. Francisco Fagoaga.

[VII.] FINAL OPINION

Of the Second Committee of the Junta on the Arrangements Which It Considers Necessary in the California Territories

The committee[131] charged with carrying out the orders of this respected junta considers its duty to be to reduce its labors to just one sharply focused point of view, in order to bring together all the materials which it has so thoroughly dealt with in the sessions held since its installation, to discuss and approve them, if they are considered meritorious, then to report them to the

Most Excellent President of the republic, in order to solicit his support in the chambers, publishing them as laws which will bring prosperity to Upper and Lower California, upon which depends in many respects that of the United Mexican States.

The committee, in addition to its own lack of information, had to contend with the obscurity of some writers, the ignorance of others, and even with the stupidity of officials, those who from the earliest discoveries have had charge in the territories.

This is the land which God located at the exact spot where it would stimulate navigation to Asia and the other Americas, which first came to be known through the tyrannical conqueror whose name the sea bears–the "Ruby of Cortés," in the center of California.[132] Thereafter the territories should have attracted all the attention of the Spanish court, which, stirred by the example of Portugal, was striving to obtain the riches which spices were bringing to the latter; and goaded by envy, was throwing one expense after another, while Magellan's westward voyage spurred them on, and the famous Sebastián Vizcaíno, going in from the south,[133] discovered ahead of Cortés the port of Monterey and several others as far as Cape Mendocino, thus presenting ladder rungs of the greatest importance in support of the Moluccas and the Marianas, the latter islands abounding in drugs from which more profit could be extracted than the Dutch were able to get after taking possession of the Moluccas. But the spirit of Congress, the ambition to dominate and other similar motives led them to turn their eyes to far distant points, abandoning the immense riches produced by a land favored by the nature of its climate, and fruitful of riches by sea and land, in minerals and soil.

But how much success could it have when even the wealth from pearl-fishing and trapping the sea-otter did not move the Spanish appetite to take from this possession the treasures which might have satisfied their cupidity? The very healthfulness of California was for many years a factor concerning which they were in the dark. Then the Jesuits, in charge in the last years of the spiritual conquest, while they were teaching the catechism to the inhabitants, explored the country, examined its position and discovered it was not an island as was thought by the ancient speculators and navigators, but a peninsula joined to the continent above the mouth of the Colorado River.[134]

These religionists were the ones who gave the most exact information concerning the advantages of that land.[135] The farther they went into Upper California, which is the richer of the two, the more they found of abundance and riches, and the better the climate. From their accounts it came to be understood that its geographical position is one of the best in the world, the purity of the air produces the agreeable vista of blue, violet and green clouds, the delight and object of admiration of the traveller at sunrise as well as in the evening when the sun sets in the sea of Tartary.[136] In fact, conditions give rise to hopes of results far greater than the puny investments made by the

Spanish nation to establish and support the small population it sent to secure areas of such importance, better known to strangers, and which the nation ruling the seas distinguishes with the name given it in olden times, New Albion.

Even the order of government with which they began to rule this delightful land was original. The missionaries who were at the same time civil governors and spiritual fathers established ascending scales of reductions, missions and towns.[137] They united in themselves the civil, ecclesiastical and military authority, because the troops which garrisoned the settlements were under their orders,[138] so that it would not have been strange if the scandalous catastrophe had been repeated which they experienced in Paraguay for the same reason.

This levitical government departed far from that provided by the laws; there was no written law for the neophytes, and the orders which the missionaries received from the Spanish Court through the viceroys were obeyed or not as they pleased, because weight was always given to their reports as coming from people with prestige in their favor, who knew local conditions and were thus the best informed. It was therefore necessary to accept this information, since there were no dissenters, every one being subject to their power and therefore in danger of suffering the effects of their resentment.

Distance, the total absence of merchants, the exclusive control by the religionists, the reserve with which they communicated their information, the inaccuracy of the information possessed by the Mexican government, the disturbances which came to Mexico, everything, everything conspired to prevent this beautiful, fruitful and rich part of the American continent from getting the preferential attention which its favorable circumstances demanded. Foreigners are better informed because of the voyages they undertook in their anxiety to discover a shorter passage from the Atlantic Ocean to the equinoctial line. Directed by the account of Admiral Quiron [*sic*] which the wise marine critics consider a fabrication,[139] and attracted by the sea-otter hunting and the search for pearl they began to frequent the south as well as the west coast of America; nevertheless it must be agreed that the first accounts they published were not as exact as the ancient one of Sebastián Vizcaíno, some because they are very brief, others because they are inexact and fabulous in the extreme.

In this state of confusion there was a sublime genius who perceived the political value California could have for the Spanish nation, which would then find itself strengthened by the rich Mexican continent. Cardinal Alveroni, minister of Philip V, of Italian nationality,[140] with a talent for wisdom and foresight, thought to find in that land the spot which would be most suitable to free Spain from the dissatisfaction caused by passing its riches through commercial channels to its enemies, in order that with them they might make war. Its diminishing population without factories or arts, its people full of vanity from the memory of their early military exploits, their children weakened by idleness, it was not possible to equip even with the necessities the extensive dominions it possessed in both Americas. It was therefore necessary to accept the handiwork of the nations which took advantage of this negligence, nations which by labor and industry had established in their midst a fountain of inexhaustible riches: to Spain they came for articles of commerce, being content with what came to her ports, rather than undertake the voyage to the Americas, because these were as closed to foreigners as was paradise guarded by the paranymph with a sword to fire.

The sublime Alveroni discussed the possibility of punishing those nations by withholding from them the riches of America, closing the ports of the north and opening those of the south, because, supposing the precious metals could not remain in America and would not be preserved in Spain for the reason given, it was better to make it appear that their ultimate destination was the Asiatic nations, those which because of the enormous distances separating them would never cause fear or the suspicion of evil. Great projects are not realized at the moment they are conceived, time is needed to put them into action, energy is needed from the time the first measures are taken, until they are brought to completion with the execution of the last measures. Thus Alveroni began to work: he gave the first orders, he put them in motion and was persistently urging them, when England and France got wind of the mystery. In the court the power of a French prince was very considerable: they talked and they threatened, and at last they stated decisively that if Alveroni were not thrown out of the ministery they would declare war. This combination was like a powerful thunderclap bursting over the head of the minister, who in the same instant lost the confidence of his master the monarch and left for Italy, where he was placed in close confinement, for reasons unnecessary to relate. The project remained in embryo, and while those who followed him in the post recognized its value, they never returned to take up the matter for lack of assurance that their lives would be safe. Nevertheless it is necessary to state that, after the beginning of the past century, they began to dispatch better orders for the government, settlement and protection of California, for the purpose of providing for the Manila galleon, the hope of the island of Luzón, which came each year to the port of Acapulco to renew the food supply, care for the sick, and careen the ship, all of which was of great value to commerce.

With the coming of the *visitador*, José de Gálvez,[141] California received the breath of life and began to make progress, if the tardy measures we have seen merit the word. Its population did not reach thirty-six persons,[142] when it should have had many thousands of men, like those who have died and are dying annually on the beaches of Vera Cruz. With them and their children they would have built up a numerous population, founding towns, villages and cities, civilizing the many native tribes who inhabit it. The Mexican nation would have been guarded in this direction from the hostile looks of others who were beginning to make extended voyages, going to tremendous expense and running all sorts of risks, who made and continue to make daily very considerable additions of territory, bringing them to our borders. One of these is Russia, that political colonizer which is dominant from the confines of Europe and over a part of Asia, and now has taken possession as far as the port of Bodega, less than one degree distant from San Francisco, which is now the farthest point of our possessions, from which Bodega draws significantly large amounts of the goods which should belong exclusively to Mexican commerce but now belong to these aliens, who, in addition, are trading with the interior nations, instructing them in the art of war, perhaps with the purpose of securing the ulterior advantages which this friendship will bring through the despoiling of the nation holding the best lands, or to stir up a war of desolation, which they will enter as allies and protectors.[143]

Much time has been lost, which is the more regrettable because there were factors which, in other hands than the disarmed and futile ones of Spain, might have produced marvelous results. The voyages of Ezeta,[144] Pérez,[145] Malaspina,[146] Cuadra[147] and Caamaño[148] made these lands known as far away as Mt. St. Elias, the Straits of Juan de Fuca, and other points near the pole, later rectified by the voyages of Cook,[149] Laperouse,[150] and other foreign sailors.

The Mexicans, always very pious and desirous of the conversion of the heathen nations, spent their means to support the missions which had been founded, and established new ones to carry forward the glorious enterprise, without deriving all the possible benefit that trade with the missions could have brought them, which would have facilitated a fuller knowledge of the whole country.

These are the circumstances in which the Mexican nation found itself in the glorious days of its independence and liberty: the California government is a mixture of levitical ideas and monarchy, and of customs introduced by the missionaries; the laws governing it are either not written or very brief, the influence is so great of the ministers who call themselves apostolic, that each missionary establishment resembles a small government, such are the kinds, character and circumstances of the customs introduced by those who preside over them. For this reason no land of those which compose the Mexican nation needs more urgently to have its government systematized in order to plant in it the authority of the law, prosperity, freedom from religious control and from all attacks either from without or within, from the Russians and other nations, and from the missionaries, all of whom being Spaniards and holding the keys of conscience and the most powerful ascendancy over the people, can bring about at that immense distance the revolution which some Spaniards have planned in order to return the Mexican people to the yoke of bondage to which the former give respect.[151]

The committee examined at length each of the circumstances described, reviewed the very significant work previously done by this junta, and, convinced of its importance, believed that for the sake of brevity, usefulness and convenience, it would be best to extract the most valuable essentials, dividing them into sections from which the government can be framed on the republican basis, which is responsible for the felicity of the nation, in order thus to forestall another kind of plan which, however short its duration, would always be as long as its evils, and would demand new arrangements and would delay for a longer time the benefits which these territories ought to receive. It is most important that the installation of the government shall be entrusted to one who has been in the country, working in its interest with prudence, moderation, activity and patriotism, one who favors the system.

If the committee says nothing about the properties constituting what is called the California fund,[152] which makes up a part of the endowment of the missions, and is the result of the piety of Mexicans who wished to contribute their part to the grand work of propagating religion among the nations which inhabit those territories, it is because, in spite of repeated appeals for an exact report on these properties and the income from them, this has not been furnished, a fact about which the committee feels deeply, inasmuch as it could have given an exact accounting of the incomes and proposed the means for increasing them.

The committee develops the plan for the subdivision of the two Californias, as presented in the first junta by Señor Don Francisco de Paula Tamariz,[153] to whose zeal is due whatever progress has been made in this matter, who in the past twenty years has been the most devoted agent for the good of these territories, for which he has spared no pains nor effort, making himself worthy of great commendation for the love with which he has regarded the progress of the nation, as well as the advancement of that land which is so worthy of the attention of the government. The committee wishes it might be made possible for Señor Tamariz to go to the Californias to undertake whatever the supreme Congress may decide to order;[154] he would receive a reward worthy of his efforts and at the same time the Californias would experience the greatest benefit; because, who could better materialize the plan the committee proposes than Señor Tamariz, who has had a hand in everything and has borne the principal part of the work? Then the task of settlement would be perfectly accomplished, and the statistical reports would be given with the greatest exactness.

The committee has also taken into account that the present legislature is about to close its sessions and should improve its opportunity to have the two chambers continue their work for another month, in the capacity of the Congress for the federal district, in order to authorize the provisions most necessary to establish its welfare and felicity: it thought it would save time and thus further this sublime desire much more if it presented to the government classified subject matter for the laws requested for the establishment of the government of that land in all of its branches.

Thus the junta brings its sessions to an end, and shows that, guided by zeal and pure patriotism, it has tried to discharge the trust given to it by the Most Excellent President: that it has not done more is due to the lack of data, since it has examined and analyzed all it could get, proceeding with the moderation which prudence dictates when dealing with unknown country. While it is now time for it to be dissolved, the individual members composing it would not refuse to work at whatever the government decides, because their patriotism, which is inextinguishable, animates them to overcome any and all difficulties which may present themselves.

Consequently the committee reduces its conclusions to the following propositions:

First: it proposes the general plan of administration which the government should enact in the chambers, so that in their capacity as Congress for the federal districts they may establish the government of both Californias, in the order of reference.

Second: the work of the junta being completed it should be dissolved, but it presents two things to the government: the one is that its members will always be ready to discharge the responsibilities that may be given them if there is need of what little light they have; the other, since a person is needed who is intelligent and devoted to that country, of extraordinary patriotism and exactness, it would suggest one in whom it believes these qualities are combined, since he has discharged his duties to the limits of his capacity.

Mexico, May 15, 1827

Juan Francisco Azcárate
Pedro Cárdenas
Francisco Fagoaga

Gentlemen who have been employed in the Junta de Fomento de Californias, listed in the order of their appointment:

Señores

Don Mariano Bonilla
Don Pablo Vicente Solá
Don José Ignacio Ormaechea
Don Mariano Domínguez
Don Tomás Salgado
Don Francisco de Paula Tamariz
Don Manuel Ibarra
Don Francisco Cortina (Deceased)
Don Ignacio Cubas
Don Juan José Espinosa de los Monteros
Don José Mariano Almanza (Deceased)
Don Francisco Fagoaga

Don Alejo García Conde (Deceased)
Don Carlos María Bustamante
Don Servando de Mier
Don Isidro Icaza
Don Diego García Conde (Deceased)
Don Pedro Cárdenas
Don Juan Francisco Azcárate
Secretary
Don Tomás Suría (with the vote)
Clerk of the above
Don Crecencio Suárez

NOTES

117. *Vide, supra,* V, Note 100.

118. Herbert Ingram Priestley (*José de Gálvez,* Berkeley, 1916, pp. 313-365, 404-412), lists and describes the various kinds of Spanish monopolies and other types of revenue. For a full discussion of the *Real Hacienda,* see the monumental work by Fabián Fonseca and Carlos Urrutia (*Historia General de Real Hacienda.* 6 vols. Mexico, 1845, 1849-53).

119. Governor Solá reported the pay-roll of 1818 as 91,778 *pesos* (*Provincial State Papers, Benicia, Military,* MS in Bancroft Library, XLIX, 75).

120. *Vide, supra,* [V*a*].

121. This plan was reported on May 19, 1827 (*supra,* [VI], 267). It was said to have been urged by ex-governor Solá (Juan Bautista Alvarado, *Historia de California,* MS in Bancroft Library, I, 229-232). However, the plan to divide Upper and Lower California did not originate with him nor with the junta. In 1796, a *contador* by the name of Beltrán, of the Mexican court of the exchequer, suggested the separation of the Californias. The matter was reported on with favor by governor Borica, on September 11, of the same year (*Proyecto sobre división de las Californias en dos provincias, 1796,* MS). The change was effected in 1804. On August 29 the viceroy communicated a royal order of March 26, ordering the division (*Provincial State Papers,* MS, XVIII, 175-177, 369). Governor Arrillaga's acknowledgment on November 16 (*Provincial Records,* MS, VI, 21; IX, 58), may be taken as the date when the separation became effective (Bancroft, *California,* II, 20, 21). The Mexican Constitution of 1824 recognized the two territories (Title II, Art. 5), but the division was ignored when Echeandía was given the governorship of both territories (Charles E. Chapman, *History of California: The Spanish Period,* New York, 1921, p. 458). With the fall of the federalists in Mexico in 1836, the Californias were again united into a single department (Bancroft, *North Mexican States and Texas,* San Francisco, 1884-89, II, 711).

122. Members of the proposing committee are given in [II], 308; actuating-committee members in [IV], 60. Which was the "second" committee is uncertain, but one may hazard the guess that the reference here is to the actuating-committee members.

123. The choice of island names points to the use of the Vizcaíno map, though not exclusively, as shown by the double use of the name Santa Barbara. The names which are identical with those now used are: the Farallones, Santa Barbara (second time used) San Nicolas, Santa Catalina, and San Clemente. San Cleto is the present San Miguel; San Antonio is Santa Rosa; the first named Santa Barbara is probably Santa Cruz, which was so named on some maps before Costansó; San Ambrosio was probably the larger of the Anacapas; Guentuebuena was probably the Gente Barbudo of Vizcaíno, in which case it is the modern Santa Cruz and a duplication of the first Santa Barbara. Henry R.

Wagner has traced the island names in "The Names of the Channel Islands," Historical Society of Southern California, *Annual Publication,* XV (1933), 16-24.

124. The initial impulse for the opening of the land bridge from New Spain to the Californias came from Father Kino, and may be dated as early as 1683 (Charles E. Chapman, *op. cit.,* p. 189). The efforts of Kino are seen in the royal *cédula* of Philip V, January 29, 1716, said to have been inspired by the minister Alveroni (*infra,* Note 140). The idea had many advocates before it reached a partial fulfilment in the significant overland journeys of Anza in 1775-1776 (Chapman, *op. cit.,* 189, 294-301). Even while the junta was in session, Captain José Romero was taking an expedition overland from Tucson, in Sonora, to Monterey, and return (José Romero, *Documentos relativos a la Expedición del Capitán Romero para abrir Camino entre Sonora y California, 1823-1826,* MS in Bancroft Library). Among the letters contained in the above collection was one from General Figueroa, a future governor of California, urging that the route be kept open (Bancroft, *California,* 1884-90, II, 509, Note 47).

125. *Vide, supra,* I, Note 32.

126. The names of the islands east and west of Lower California show only minor variation from the present names, as when the name is applied to a different island in a chain. The arrangement of names suggests the use of the atlas published with the record of the voyages of the *Sutil* and *Mexicana,* and of a map published in 1825 by order of President Guadalupe Victoria.

127. José Manuel Ruíz, frontier commander, was made political chief in October, 1822, replacing José Argüello, and was given the responsibility of carrying out the terms of the provisional *reglamento* of the *canónigo* Agustín Fernández de San Vicente, intended virtually to free the mission Indians of Lower California (Bancroft, *op. cit.,* II, 708, Note 7). Ruíz was succeeded by José María Echeandía, who became governor on February 1, 1825 (Zephyrin Engelhardt, *The Missions and Missionaries of California,* I, 587).

128. Engelhardt states that at the century-end the population of the peninsula was about 4,500 souls, including from four to eight hundred Spaniards and mestizos (*op. cit.,* I, 540). Of these, 1,529 were mission Indians (Peveril Meigs, *The Dominican Mission Frontier of Lower California,* Berkeley, 1935, p. 168, population table). By 1824 the mission Indian population had increased to more than 2,100 (Francisco Troncoso, information on Lower California in 1824, in J. A. Escudero, *Noticias Estadísticas de Sonora y Cinaloa,* Mexico, 1849).

129. The committee referred to is that for the division of the Californias; the names are listed at the end of this report.

130. This is a reference to the expedition of the *Sutil* and *Mexicana* (*vide, supra,* [I.], Note 14). The account of the voyage was published in Madrid in 1802, in three volumes, the third being an atlas containing the maps of the expedition.

131. This is the committee which prepared the plan of government. The members are listed at the end of this section (VII).

132. Also called the Vermilion Sea. It is the Gulf of California.

133. Sebastián Vizcaíno, expedition of 1602, 1603.

134. Father Eusebio Kino (Kuehn), S. J., in 1701.

135. Compare with the charge that the missionaries deliberately withheld information (*supra,* [I.], 296).

136. The Sea of Tartary was the western Pacific, or, perhaps, more specifically, the China Sea. It was probably a general term, indicative of the vagueness of the junta members on matters geographical. This vagueness was perhaps justified as a result of the "northern mystery" as to the location of the strait of Anian separating the northernmost Spanish holdings in America from the mainland of Asia, a mystery which had, however, been fairly well cleared up by the time of the junta (Bancroft, *California,* I, 107).

137. The Jesuit reductions (Indian communities) in Paraguay were rich and powerful, having received their chief impetus from Philip III (king, 1598-1621) of Spain (A. Curtis Wilgus, *The Development of Hispanic America,* 205-206).

138. *Vide, supra,* [II.], Note 42.

139. This reference is not clear. It may possibly refer to the celebrated Portuguese navigator, Pedro Fernández de Quirós, or more properly, Queiros, born 1560, died 1614. This mariner has been credited with the discovery, in the early seventeenth century, of the New Hebrides, Tahiti, and many other islands of the South Pacific (Art. "Quiros," *Diccionario Enciclopédico de la Lengua Castellana* [2 vols., 5th ed. Paris, no date], II, 613). The context seems to connect the name with the apocryphal voyagers seeking the Strait of Anian, chief of which were Juan de Fuca and Lorenzo Ferrer Maldonado. No name has been found in these records resembling Quiron. A good resumé of the northwest explorations, real and apocryphal, is found in Bancroft (*History of the Northwest Coast,* I, 32-136). The standard work is Henry R. Wagner, *Spanish Voyages to the Northwest Coast of America* (San Francisco, 1929), 580 pp.

140. The abbé Giulio Alveroni first appeared in the court of Philip V (1700-1746) as the consular agent for Parma. He ingratiated himself with the powerful Madame de Ursino, with whom he plotted for the king to marry Isabel Farnese. With the new queen, he was able to weaken the French party after the death of Louis XIV (1715). Already a member of the king's council and bishop of Málaga, Alveroni in 1715 was made prime minister. He was given the red hat in 1717. His ascendancy ended in his banishment in 1719, after the defeat of Spain at the hands of the quadruple alliance. On his accession to office Alveroni informed himself as to colonial affairs, and found that nothing had been done to carry out the decrees of the past fifteen years. His attention came to a sharp focus when a rich Mexican speculator offered to pay 80,000 *pesos* in advance for the control of California and the *alcaldía mayor* of Acaponeta and Santipac on the mainland (Venegas, *Noticia,* II, 288-291 ,294). The offer was refused, but Alveroni began to work on his "great design." The Philippines were to become the center for Spanish trade with China and the east. New Spain was to be the channel for conveying the goods of the east to Spain. The dependence (and neglect) of the West Indies on Spain was to be replaced by direct trade with Asia, the Americans receiving their goods at a cheaper rate than heretofore (*ibid.,* 294-298). The initial steps were taken in the royal *cédula* of January 29, 1716 (*supra,* [II], Note 43), which Venegas credits to the influence of Alveroni (*op. cit.,* II, 288), while Chapman gives first credit to Father Kino, whose ideas appear in the decree, *op. cit.,* pp. 192, 193).

141. José de Gálvez was appointed visitor-general on February 20, 1765, and reached Mexico to take up his work in July of the same year. From 1766 to 1771, when his friend the marquis (Francisco) de Croix was viceroy, it was Gálvez, rather than Croix, who was the "virtual ruler of New Spain." The Gálvez plans were set forth in four documents of the year 1768: (1) the setting up of the intendency system in Mexico; (2) a commandancy-general, apart from the viceroyalty, was to be created out of Nueva Vizcaya, Sinaloa, Sonora, and the Californias; (3) Upper California was to be occupied and developed; (4) Gálvez was to found a number of frontier settlements with armed colonists. The plans all received the sanction of the king (Chapman, *op. cit.,* pp. 209, 213-215). His plans, followed up by his personal efforts, resulted in the sending of the Portolá expedition to Upper California, with Junípero Serra, father of the California Franciscan missions.

142. According to Bancroft (*California,* I, 172), exclusive of sailors, the *gente de razón* in Upper California as the result of Gálvez' efforts amounted to forty-seven, forty-three soldiers and four friars.

143. Bancroft states that the profits of the Russians were greatly exaggerated in the

minds of the Spaniards (*California*, II, 634). The sea-otter trade had practically ceased by 1820, the total catch of the Russians up to that time being about 3,600 skins (*ibid.*, 635; for tables and description of Russian agriculture and trade in food stuffs, *ibid.*, 636-652). A comprehensive study of the Russians in California is found in E. O. Essig, Adele Ogden, Clarence John DuFour, *The Russians in California* (California Historical Society, Spec. Pub. No. 7), San Francisco, 1933.

144. Bruno de Hezeta commanded the *Santiago* in the 1775 voyage to the northwest coast (*Viaje de 1775; Diario de* La Santiago, MS; Henry R. Wagner, *The Cartography of the Northwest Coast of America to the Year 1800*, Berkeley, 1937, I, 175-180). His second in command was Pérez, and with them, in other ships of the small fleet, were Juan de Ayala and Bodega y Quadra. Wagner is used consistently throughout this list of names because of the value of the reference and its convenience within the one volume.

145. Juan Josef Pérez Hernández was given command of the *Santiago* by the viceroy Bucareli, with instructions to explore the northwest coasts. This was because of the fear of Russian encroachments then possessing Madrid (*Relación del Viaje, 1774*, MS; Henry R. Wagner, *op. cit.*, I, 172-174).

146. Alejandro Malaspina, *La Vuelta al Mundo por las Corbetas* Descubierta *y* Atrevida, *1789-1794*. 2nd ed., Madrid, 1885; also in Wagner (*op. cit.*, I, 225-229). This author includes notes on former voyages, such as those of Pérez, Hezeta and Bodega y Quadra (420-448), describes the people and country of California (433-446), and lists the costs in 1791 of cattle, fruits and grains (447).

147. Juan Francisca Bodega y Quadra followed Ayala in command of the *Sonora* in the Hezeta expedition of 1775 (Note 2), was the commander at San Blas in 1789 (Wagner, *op. cit.*, I, 219, 250), and was appointed to represent the Spanish king in the Nootka negotiations with Vancouver in 1792 (*ibid.*, 231, 232, 242).

148. Jacinto Caamaño was the commander of the frigate *Aranzazu* in 1792 when he was sent north to report to Bodega y Quadra at Nootka (Wagner, *op. cit.*, I, 234). He made numerous maps and charts, of which Vancouver secured copies, and thus perpetuated some of the Spanish place names on his own maps (*ibid.*, 235).

149. Captain James Cook made three notable voyages into the Pacific. The first, in 1767-1771, took him to Tahiti, New Zealand and Australia; the second, 1772-1775, was also to the south Pacific; the third, 1776-1780, caused the Spaniards the most concern. The purpose of this voyage was a thorough exploration of the north Pacific. The Hawaiian Islands were discovered in 1778. Furs were bought from the northwest natives in return for mere trifles, and later disposed of in China at prices which brought a swarm of European vessels, particularly English (Charles E. Chapman, *op. cit.*, p. 264). The account of this last voyage is found in Captain Cook's *A Voyage to the Pacific Ocean*, 3 vols. and atlas, London, 1784. See also, Wagner, *op. cit.*, I, 183-190.

150. The comte de La Perouse was sent by the French government, 1785-1788, with two ships, the *Boussole* and the *Astrolabe*, to take possession of the northwest coasts of America above the Spanish holdings (Wagner, *op. cit.*, I, 199-201; Jean François de Galaup de La Perouse, *Voyage de La Perouse autour du Monde*. 4 vols. Published in Paris in 1797, by order of the French government).

151. Apparently the fear and suspicion of Spanish influence, of the friars and others, which had arisen when the missionaries showed themselves reluctant to swear allegiance to an independent Mexico, was slow to die down in government circles at the capital (Bancroft, *California*, II, 455; III, 32).

152. The Pious Fund. *Vide, supra,* [II.], Note 61.

153. On May 20, 1814, the naval lieutenant, Francisco de Paula Tamariz, presented a *memoria* to the king on the improvement of the government of Upper California. This

document is reproduced in the Archivo y Biblioteca de la Secretaría de Hacienda, *Colección de Documentos Históricos,* Tomo II, in "Las Misiones de la Alta California" (Mexico, 1914), 87-111. On July 5, 1814, Lardizábal, in the name of the king, ordered the viceroy of New Spain to convene in Mexico City a junta of men of vision and with experience in matters of economics and trade (*ibid.,* 111, 112, 115-117). Meanwhile, the charges of Tamariz against the administration of the padres called forth a violent rebuttal ("Parecer formado por el Padre Domingo Rivas á petición de D. Joaquín Cortina, en repulsa del Informe dado a S. M. sobre mejoras de la Nueva California," *ibid.,* 119-94). The junta was called in 1817, and on July 5 rendered a report to the viceroy, Juan Ruíz de Apodaca, analyzing the Tamariz *memoria,* and containing a commentary and opinion by the junta secretary, Tomás Suría, who was also to be a member of the second junta. The *expediente,* or collection of papers of the first junta is in the Archivo General de la Nación, *Indios Bárbados: Gobernación,* Legajo 1830-34, of which copies are in the possession of the Bancroft Library. There is no evidence that the junta took any formal action, or that its investigations were pursued further.

154. *Vide, supra,* Note 114.

Recent Californiana

A Check List of Publications Relating to California

Atherton, Gertrude
  My San Francisco, a Wayward Biography. Indianapolis: Bobbs-Merrill Co., 1946. 334 pp. illus. $3.50.
Breen, Patrick
  The Diary of Patrick Breen. San Francisco: The Book Club of California, 1946. 38 pp.
Caughey, John Walton
  Hubert Howe Bancroft, Historian of the West. Berkeley: University of California Press, 1946. 422 pp. ports., illus. $5.00.
Freeman, Leslie J.
  Alameda County, Past and Present. San Lendro, California: San Leandro Reporter, 1946. 159 pp. ports., illus. $2.50.
Frost, Donald McKay
  Notes on General Ashley, the Overland Trail and South Pass. Worcester: American Antiquarian Society, 1945. 159 pp. $2.00.
Hanna, Phil Townsend, comp.
  The Dictionary of California Land Names. Los Angeles: Automobile Club of Southern California, 1946. xxi + 358 pp. $5.00.
Neuenburg, Evelyn
  California Lure. Pasadena: California Lure Publishing Co., 1946. 311 pp. illus. $5.00.
Ogden, Adele and Sluiter, Engel, editors
  Greater America: Essays in Honor of Herbert Eugene Bolton. Berkeley: University of California Press, 1945. ix + 723 pp. $6.00.
Peattie, Roderick, ed.
  The Pacific Coast Ranges. New York: Vanguard, 1946. 402 pp. illus. map. $3.75.
Stewart, Watt
  Henry Meiggs, Yankee Pizarro. Durham, N. C.: Duke University Press, 1946. ix + 370 pp. illus. $4.00.

UNDERHILL, REUBEN L.

From Cowhides to Golden Fleece; a Narrative of California, 1832-1858, based upon Unpublished Correspondence of Thomas Oliver Larkin of Monterey. Stanford University: Stanford University Press, 1946. xv + 289 pp. illus. map. $4.00.

WILLIAMS, MARY FLOYD

Fortune, Smile Once More! Indianapolis: Bobbs-Merrill Co., 1946. 312 pp. $2.75.

News of the Society

Gifts Received by the Society

September 1 to November 30, 1946

BOOKS AND PAMPHLETS

From MR. FRANK ADAMS—Adams, Frank, "The Historical Background of California Agriculture," reprint from *California Agriculture*, Berkeley, University of California Press, 1945.

From MRS. LEONORA WOOD ARMSBY—Armsby, Mrs. Leonora Wood, *Musicians Talk*, New York, Dial Press, Inc., 1935.

From THE CHRONICLE, LIVINGSTON—Farquhar, Franklin S., *History of Livingston, California, Narrative and Biography*, Livingston, The Chronicle, 1945.

From MR. GLEN DAWSON—Hittell, John S., *The Prospects of Vallejo; or Evidences that Vallejo will become a great City*, Vallejo, Chronicle Steam Printing House, 1871; Wolff, John E., *Route of the Manly Party of 1849-50 in leaving Death Valley for the Coast*, n.p. n.d.

From MRS. EDWARD L. DOHENY—Miller, Lucile V., comp. *Catalogue of Books and Manuscripts in the Estelle Doheny Collection* [parts 1 and 2], Los Angeles, Ward Ritchie Press, 1940-46.

From DR. SANDFORD FLEMING—Wheeler, O. C., *The Story of early Baptist History in California*. n.p., n.d.

From MR. LESLIE J. FREEMAN—Freeman, Leslie J., *Alameda County, past and present*, San Leandro, Press of the San Leandro Reporter, 1946.

From MR. JESSE HARDY—Western Harvester Co., *Selling the Holt Combined Harvester*, Stockton, Western Harvester Co. (c. 1926).

From MRS. JEROME A. HART—Atherton, Gertrude, *My San Francisco, a Wayward Biography*, Indianapolis, Bobbs-Merrill Company, 1946.

From MR. EARL L. HEVERLY—Mears, Neal F., comp., *A History of the Heverly Family*, Chicago, Bates Printing Co., 1945.

From FLORENCE BAYARD HILLES—Tansill, Charles Callan, *The Congressional Career of Thomas Francis Bayard*, 1869-1885, Washington, Georgetown University Press, 1946.

From MR. JOHN HOWELL—Alvord, Hon. Wm., *Valedictory*, and *Inaugural Address of the Hon. James Otis*, San Francisco, 1873; Davidson, George, *An Important Scheme, Are the Waters of the Merced to be used for Irrigation? . . .* (1877); Howay, Frederick W., *The Work of the Royal Engineers in British Columbia, 1858 to 1863*, Victoria, B. C., 1910; Olney & Co., *Great Auction Sale of Oakland and Alameda Real Estate, April 11, 1876;* Ripalda, Gerónimo de, *Catecismo y Esposición breve de la Doctrina Cristiana* . . . San Francisco, Libreria de Miguel Flood, 1879; San Francisco, *An Act to open and establish a Public Street in the City and County of San Francisco, to be called "Centennial Avenue" and to take private Lands therefor*, n.d.; San Francisco Board of Supervisors, *Table of Streets, Avenues, Places, etc. in the City and County of San Francisco*, San Francisco, Geo. Spalding & Co., 1882; *Tables showing changes in Names of*

Streets . . . of the City and County of San Francisco, San Francisco, Hinton Printing Co., 1895; *San Francisco Directories*, 1871, 1872, 1876-7, 1878, 1879-80, 1884-5, 1885-6, 1888, vol. 1, 1890, vol. 2, 1893-1896, 1898, 1900-1902, 1907-1909, 1911-1913, 1918-1920, 1923-1925, 1929, 1936; *San Francisco Telephone Directories*, February 1903, October 1905, October 1906, December 1906; Scudder, Rev. H. M., *"Shall we drink Wine?" A Discourse delivered at Howard Presbyterian Church, San Francisco, July 18, 1869*, San Francisco, 1869; Talbert & Leet, *Auction Sale of Salt Marsh and Tide Lands, belonging to the State of California . . . Sept. 15, 1869*, Sacramento, 1869; United States District Court for Northern District of California, *Wm. C. Anan, et als. v. Ship "Star of Hope" her Tackle, &c., in Admiralty, Opinion of Hon. Ogden Hoffman, Delivered April 12, 1859;* University of California, *Photographs of Sculpture presented by John S. Hittell* (Library Bulletin, No. 6), Berkeley, 1885.

From MISS FLORENCE R. KEENE—Cheng Chi-Yu, *New China in Verse*, Berkeley, Gillick Press, 1944; Gessler, Clifford, *Tropic Earth*, West Los Angeles, Wagon & Star, Publishers, 1944; O'Donnol, Dion, *Many a Fragile Thing*, West Los Angeles, Wagon & Star, Publishers, 1942; Ray, Milton S., *The Poet and the Messenger, Dune-Glade and other poems*, San Francisco, Pacific Book Co., 1946.

From ELI LILLY AND COMPANY—Clark, Roscoe Collins, *Threescore Years and Ten: a Narrative of the first Seventy Years of the Eli Lilly and Company, 1876-1946*, Chicago, privately printed, 1946.

From MISS FRANCES M. MOLERA—Pérez-Maldonado, Carlos, *La Ciudad Metropolitana de Nuestra Señora de Monterrey, CCCL Aniversario de su Fundación, 1596 Septiembre 20, 1946*, Monterrey, N. L., Mex., Impresora Monterrey, S. A., 1946.

From MRS. SILAS H. PALMER—Bancroft, Hubert Howe, *Index to Chronicles of the Builders of the Commonwealth*, volumes I to VII, inclusive, San Francisco, The History Company, 1892.

From MISS MARY ALLEN PHINNEY—Phinney, Mary Allen, *Isham Genealogy: a brief History of Jirah Isham and his Descendants from 1670 to 1940*, Rutland, Tuttle Publishing Company, Inc., 1940.

From MR. PHILIP H. ROSENBACH—*To Doctor R., Essays here collected and published in Honor of the seventieth Birthday of Dr. A. S. W. Rosenbach, July 22, 1946*, Philadelphia, 1946.

From MR. WESTON SETTLEMIER—"The March of Money," 12 album sheets in loose leaf binder, and envelope of 24 coin stamps, San Francisco, Historical Coinings Society, c. 1938.

From ALBERT SHUMATE, M.D.—Walsh, Henry L., S.J., *Hallowed were the Gold Dust Trails: the Story of the Pioneer Priests of Northern California*, University of Santa Clara Press, 1946.

From MAJOR HARRY P. SNYDER—Snyder, Major Harry P., *We did, from the Combat Records of the 174th Field Artillery Battalion, World War II* [Columbus], 1946.

From UNIVERSITY OF CALIFORNIA PRESS—Caughey, John Walton, *Hubert Howe Bancroft, Historian of the West*, Berkeley, University of California Press, 1946.

From HENRY R. WAGNER—Don Juan, *Señor Plummer, the Life and Laughter of an Old-Californian*, Hollywood, Murray & Gee, Inc., 1943; In the United States Court of Claims, No. 411, Theodore Adams *vs.* the United States, Solicitor's Brief, 1853?; In the Court of Claims, No. 560, Blas P. Alviso *vs.* the United States, Brief of U. S. Solicitor.

MAGAZINES AND NEWSPAPERS

From MRS. MAE HELENE BACON BOGGS—Weaverville, *Weekly Trinity Journal*, August 22, 1946, Souvenir edition, Trinity County Fair, August 24-26, 1946, Hayfork, California.

From MR. VALLEJO GANTNER—*America,* vol. 35, no. 25, October 2, 1926; *Grizzly Bear*, vol. L, nos. 298-300, February-April, 1932; *Touring Topics,* vol. 24, no. 1, January 1932.

From MR. JOHN HOWELL—San Francisco *Daily Exchange,* Supplement, Monday, March 18, 1878: Delinquent Tax List of the City and County of San Francisco, for 1877-78; San Francisco *Call,* Sunday, January 23, 1898: Golden Jubilee edition, 1848-1898; *Daily Palo Alto,* vol. XII, no. 80, Wednesday, May 25, 1898, Commencement edition.

From MR. JESS INGRAHAM—*Pacific Pathways,* vol. 1, no. 1, and continuation.

From MR. WARD E. McCONNELL—McConnell, Ward E., *J. Ross Browne, Bonanza Reporter* (In *The National Shorthand Reporter,* vol. VIII, no. 1, October 1946).

From MR. A. S. MACDONALD—Monterey Peninsula *Herald,* July 3, July 5, July 6, 1946: United States Flag Raising Centennial at Monterey, July 4-7, 1946; *Circle 9,* 1946.

From MR. WILLIAM F. MURPHY—*Fortnight,* vol. 1, no. 1, and continuation.

From MR. HENRY R. WAGNER—*Huntington Library Quarterly,* volume IX, no. 4, August 1946.

MANUSCRIPTS

From MISS E. J. CHISHOLM—*"Best Company"; a brief Biography of Daniel Best.* n.d. (Typewritten)

From MR. LESLIE J. FREEMAN—Freeman, Leslie J., *Tehama County's First Sawmill.* (Typewritten)

From MR. VALLEJO GANTNER—Gantner, Vallejo, *Slavery in California.* (Typewritten)

From MR. JESSE HARDY—Account Book and Diary, containing Wharfage collected from Steamers, Vessels, etc. at Stockton, by E. G. Greenfield, Harbor Master, May 16, 1855-May 12, 1856; Diary of Events, by E. G. Greenfield, January 1, 1858-November 12, 1859.

PICTURES AND MAPS

From the late MR. ALBERT M. BENDER—Coulter, Edith M., and Van Nostrand, Jeanne, editors, A Camera in the Gold Rush, part 6; Riverside Camp (Maine Bar); Part 7: Freighting over the Sierra; Part 8: Swan's Station; Part 9: Silver City; Part 10: Gold Canyon, Gateway to the Comstock; Part 11: Virginia City, San Francisco, The Book Club of California, 1946.

From MR. VALLEJO GANTNER—Postcards and Photographs of Petra, Mallorca, Birthplace of Father Junípero Serra; Photograph of Mission San Carlos Borromeo; Christmas Card of Emelie Melville.

From MR. JESSE HARDY—Photograph: Panoramic View, Holt Manufacturing Plant at Stockton, about 1908.

From MR. JOHN HOWELL—A large Collection of Photographs of People and Places.

From MR. F. S. HUDSON—Map of a portion of Hock Farm . . . surveyed by N. Wescoatt, 1857, copied in 1860.

From MRS. EMMA KESSLER—A Collection of Photographs of Actors and Actresses from the Orpheum Circuit, 1910-1914; Photograph of John Muir and Theodore Roosevelt in Yosemite Valley; Photograph of Walter C. Kelly and John Philip Sousa at the Cinderella Gold Mine, Transvaal, South Africa.

From CAPTAIN FREDERIC SHAW—Shaw, Captain Frederic, Drawing: First self-propelled Street car in San Francisco, California, built 1865, Vulcan Iron Works. Measured and drawn by Capt. Frederic Shaw, March 1946.

From MRS. JAMES M. TROUTT—Portrait of Judge James M. Troutt (Framed); Photograph of Oriental Lodge of Masons, showing Judge Troutt.

MISCELLANEOUS

From MR. HENRY F. BUDDE—*San Francisco Progress*, vol. 21, nos. 9-11, 17-29, February 28-July 18, 1946, relating to the Campaign for the Recall of Mayor Roger D. Lapham; Lists of Solicitors, Letterhead, Envelopes of the Recall Lapham Committee of 1100, Inc.

From MR. GERALD KANE—Adams & Co., Certificates of Deposit: Michael McEllan, Forty Dollars, October 2, 1854; Arie Van Wie, Three Hundred Dollars, October 2, 1854.

From HON. ROGER D. LAPHAM—Campaigns, Inc., Material relating to the Campaign for the Recall of Mayor Lapham: Posters, Postcards, Copies of Radio Talks, Statements by Mayor Lapham, etc. 1946.

From MR. GUY C. MILLER—Page, Bacon & Co. Duplicate Draft, April 13, 1854 for $359.25 for rental of "water lot" on Sansome Street, San Francisco, sent by Capt. Charles G. Myrick to Joseph H. Nickerson, Boston.

From THE DESCENDANTS OF APHRA WEST—The Reuben H. Lloyd Bookcase.

On September 6, 1946, at a luncheon at the Ambassador Hotel in Los Angeles arranged by Mr. Edmund McKenna, executive director of the California Apparel Creators, Mr. Edward A. Dickson, president of the Western Federal Savings and Loan Association of Los Angeles, acting as the representative of the California Historical Society, received from Mr. Frederick H. Groel, vice-president of the New Jersey Historical Society, the gold epaulets of General Stephen Watts Kearny. Preserved in their original bronzed tin carrying-case, they had been in the possession of General Kearny's granddaughter, Mrs. Harriet Kearny Owen and her son, Judge Stephen K. Owen, and were presented to the Society through their interest and generosity. As Mrs. Owen recounts in her letter of October fifteenth to Mr. Groel: ". . . when General Kearny started on his march to California he was a Colonel. Major [Thomas] Swords, Lieut. [J. F.] Gilmer and Capt. [Richard Hanson Weightman] left Leavenworth with his commission, and overtook them Aug. 15th. The Army started in June, so you see how slow it all was. . . . At the death of my grandmother they were given to my father Charles Kearny, at his death they came to me. Most all of General Kearny's papers, portrait and letters were given to the Historical Society in St. Louis. I am pleased to give the epaulets to the California Historical Society through you." On the presentation card is written: ". . . in commemoration of the 100th anniversary of the liberation of California from Mexican rule."

When it is realized that these invaluable military treasures were placed on shoulders which, at that earlier date, were not yet adjusting themselves to the terrific strain awaiting their owner beyond the Colorado, the weight of the heavy gold fringe need not worry the beholder. He can, for the moment, abandon himself to admiring the beauty and thoroughness of the workmanship. To Mrs. Owen and her son are due the Society's grateful thanks.

Meetings

At the luncheon meeting held at the Palace Hotel on the thirteenth of June last, Dr. Aubrey Neasham spoke before the Society on the subjecet "Tracing the Coronado Trail on the West Coast of Mexico." An expedition, led by Dr. Herbert E. Bolton of the University of California, headed down the west coast of Mexico on January 12, 1940, for the purpose of tracing the route taken in 1540 by Francisco Vásquez de Coronado, first white man to explore extensively what is now the southwestern part of the United States. Other members of the 1940 expedition included Dr. George P. Hammond of the University of New Mexico (now Director of the Bancroft Library), Dr. Russell C. Ewing of the University of Arizona, Harold Walter of Albuquerque, and W. Ward Yeager and Aubrey Neasham of the National Park Service, Santa Fe, New Mexico. Every available documentary source was on hand to aid in establishing Coronado's route.

Reaching Compostela, the rendezvous of Coronado some 1000 miles south of the border in the State of Nayarit, the party started northward on January 20th. The Arizona border was reached at Naco on the first of February. Averaging only ten miles an hour in their Chevrolet carry-all, because of almost impassable roads, the twentieth century explorers were able to trace Coronado's route, as well as to observe much of the life of the west coast of Mexico. The geography, vegetation, people, methods of transportation, and architecture were recorded by film, both black and white and colored; and Dr. Neasham gave his hearers the privilege of viewing the results of the expert color photography.

Although the Coronado expedition has most significance for the Southwest in general, it has some for California, as many of the scenes along his route had an intimate connection later with California history. The west coast of Mexico was the "stepping-off" place to California, especially during the Spanish and Mexican periods, and even the early American.

The 1940 expedition demonstrated one of the interesting possibilities open to historical research. Organized and undertaken under the auspices of the United States Coronado Exposition in cooperation with the Coronado Cuarto-Centennial Commissions of New Mexico and Arizona and the National Park Service, it proved conclusively the route taken by Coronado. In August 1940 the rest of the Coronado Trail through Arizona, New Mexico, Texas, Oklahoma, and Kansas was traced by Drs. Bolton, Hammond and Neasham.

"French Activities in California Prior to Statehood" was the subject of Dr. Raoul H. Blanquie's address before the luncheon meeting of the Society on September twelfth. The roles played by Spain, Russia, England, and the United States for possession of California, the speaker said, are common knowledge. Less generally known are the French designs upon this portion of the Pacific coast, and, had opportunities been favorable, France would not have hesitated to seize the territory, thereby adding her tricolor to the multiple flags that have waved over California. Such an event would not necessarily have altered the tide of American conquest; at best it might have delayed it.

Beginning with La Perouse in 1786, the long list of visitors to California—French merchantmen, ships of war, and later private agents—created the belief that France entertained hopes similar to those of England and the United States. During the Mexican regime Vallejo communicated his fears to Governor Alvarado, and his feelings were shared by Thomas Larkin, U. S. consul at Monterey, who kept his government informed on all moves made by French agents in Alta California. As early as 1843, diplomatic relations between France and California had been established; and until the latter's entry into the Union in 1850, the various French consuls both at Monterey and San Francisco had made strong appeals to their government for the occupation of the province. The principal reasons for France's failure to fulfill her hopes may be attributed to internal revolutions and governmental upheavals, that handicapped her efforts at opportune and critical moments. In closing, Dr. Blanquie paid tribute to Professor Abraham Nasatir's researches here and abroad, which have been published under the title, *French Activities in California: an Archival Calendar-Guide* (Stanford University, 1945).

Mr. L. J. Freeman spoke at the luncheon meeting of October tenth on the past and present of Alameda County. As contributors to the early history of the county he mentioned particularly two Spanish pioneers, Luis Peralta, granted the San Antonio rancho in 1820, and J. J. Estudillo, grantee of the San Leandro rancho in 1842. Luis Peralta's wife was María Loreto Alviso, and at his death in 1851 their eldest son, Ignacio, inherited a portion of San Leandro, from San Leandro Creek west to about what is now 98th Avenue in Oakland, according to Mr. Freeman. The Estudillo grant included all the territory east of San Leandro Creek to the city limits of Hayward and San Lorenzo. José Estudillo's wife was Juana Martínez. His original adobe house was on San Leandro Creek, about a mile below the present city; upon its destruction by a flood he built again, this time (1850) of wood brought around the Horn. It is still standing at 1291 Carpentier Street. At the rear is a black fig tree, originally from Spain and planted in San Diego at Ramona's marriage place, being shipped from there to San Leandro by a brother of Estudillo. José Estudillo is credited, according to Mr. Freeman, with building a frame hotel in 1845 on what is at present the corner of Davis Street and Washington Avenue. One of the earliest proprietors was

Thomas W. Mulford, who later became a squatter on part of the Estudillo rancho.

José Estudillo died in 1852. One of his daughters, María de Jesús, in 1847 married William Heath Davis who, eight years previously, had accompanied Capt. John A. Sutter on his journey up the Sacramento to found New Helvetia. Davis helped his wife to lay out the town of San Leandro. He also managed the Estudillo estate for several years, realizing, it is said, some $40,000 profit per year above all operating expenses. A daughter, Miss Lily Davis, now 85 years old, is still residing in San Leandro.

Another early arrival in the county from the United States was William P. Toler (son of the pioneer of 1847, Hopeful Toler). W. P. Toler landed at Monterey on July 7, 1846, with Commodore Sloat and his marines, and assisted in raising the American flag on the pole near the Custom House. After leaving the navy, he came to the East Bay, married a daughter of Ignacio Peralta, and is credited with having built at San Leandro the first brick house in Alameda County. At present it is owned by the Alta Mira Club.

Alameda County was organized in 1853 with Alvarado as the county seat, the county offices being in the second story of a grocery store owned by the father of Superior Judge Lincoln S. Church, according to Mr. Freeman; but a robbery of the county treasury taking place shortly afterwards, a new location was sought and by popular election San Leandro was chosen. Here a two-story brick building was erected on land donated by the Estudillos. As a result of faulty construction it was almost demolished in the earthquake of 1868, which hastened the removal of the county seat for the third time, namely, to Oakland with its larger population, where it has remained. Mr. Freeman then took up the expansion of the East Bay with the advent of the railroad, mentioning especially the agricultural, industrial and educational aspects of the area.

In Memoriam

ADELA VALLEJO GANTNER

With the sudden death of Adela Vallejo Gantner on May 24, 1946, San Francisco lost one of her most esteemed daughters and the families of Vallejo and Carrillo a beautiful representative. She was born in Napa, California, in the middle 1870's, her father being Edward Frisby of New York and her mother Telisilla Vallejo, daughter of María de la Luz Carrillo and Salvador Vallejo, whose father, Ignacio Vicente Vallejo, came to California with Ortega in 1774.

Adela Gantner was a patron of the arts, vitally interested in furthering all musical and artistic endeavor. Her interest in history prompted her to become one of the early members of the California Historical Society, which she joined in 1924, two years after its reorganization. A vacancy hard to fill has been left by her death, for she occupied a distinctive place in the hearts of both family and friends, earned by her warm friendliness and her progressive mind.

Mrs. Gantner is survived by her husband, John Oscar Gantner, of the old San Francisco firm of Gantner & Mattern, and four children: Carlos Vogel by a former husband, Della Carrillo Gantner, John Oscar Gantner, Jr., and Vallejo Gantner.

FRANCISCA VALLEJO MCGETTIGAN

SUSANNA BIXBY BRYANT

Susanna Bixby Bryant, long a member of the California Historical Society, died suddenly at Santa Barbara on October 2, 1946.

Mrs. Bryant was born at Long Beach, California, the daughter of John W. Bixby and Susanna P. H. Bixby. In her childhood she resided at the family home, the Rancho Los Alamitos, near Long Beach. She attended Miss Hersey's School in Boston, following which she traveled extensively. She was married to Dr. Ernest A. Bryant, a distinguished physician and surgeon in Los Angeles, and they had two children, Ernest A. Bryant, Jr. and Susanna Bryant Dakin, both of whom survive her, together with seven grandchildren, three of whom are the children of her son, Ernest A. Bryant, Jr., and the other four of her daughter, Susanna Bryant Dakin.

In 1927 Mrs. Bryant established, in memory of her father, John W. Bixby, the Rancho Santa Ana Botanic Garden of native California plants, which she endowed and to the care of which she was constant and unremitting in her attention. Mrs. Bryant was also deeply interested in the Garden Club of America, of which she was a Member at Large.

ALLEN L. CHICKERING

CHARLES HOMER SEGERSTROM

On August second, Charles Homer Segerstrom, sixty-six, a representative figure in the mining industry of America, died in Sonora, Tuolumne County. He was born in Sweden, the second eldest of a family which grew in number until there were six boys and five girls. When only eighteen months he was brought to Minnesota by his parents, the late Charles J. and Britta C. Segerstrom, where they remained until the younger Charles was fifteen. The family's next move was to Santa Ana in California. After being graduated from the University of Southern California in June of 1903, the young man went to Sonora where in partnership with his brother, Eric J. Segerstrom, he purchased the Sonora Abstract and Title Co. Seven years later he assumed control of the Dutch Consolidated Gold Mining Company at Quartz Mountain and served as general manager and president until 1914, when he became vice-president and cashier of the Tuolumne County Bank. In 1930 he was elected president, holding office until the bank was acquired by the Bank of America. From 1925 to 1929 Mr. Segerstrom was president of the Independent League of California Bankers.

Among his mining interests was the Carson Hill Gold Mining Corporation of which he was for many years president and director. His particular concern was the safety of the miners. Prior to World War I his mining activities had brought him into the field of tungsten where he soon became recognized as an authority. When the second World War began, tungsten-producing mines of the Nevada-Massachusetts Company which he controlled enabled the Federal Government to arm with greater speed. In addition to banking and mining affairs, Charles Segerstrom discerned the possibility for sound investment in hotel properties, and in furtherance of this belief secured controlling interests in the Canterbury Hotel in San Francisco, the Oakes Hotel in Chico, and the Sonora Inn in Sonora.

He served his county, Tuolumne, in numerous capacities, especially in the matter of schools—he was for twenty-five years trustee of the Sonora Union High School—highway construction, and the Red Cross. At various times he had been a director and vice-president of the State Chamber of Commerce, a trustee of the College of the Pacific at Stockton, and a member of the Association Council of Mills College. Love of books brought him into the field of Californiana, and his private library in Sonora contains some rare items. But his interest in historic things took him beyond the realm of books into active restoration of old buildings such as St. James' Episcopal Church in Sonora. Politically, he was a Republican; in 1940, as chairman of the State Republican Committee, he spoke in favor of Wendell Willkie at the Philadelphia convention. Although a member of both the State and National Bar Associations, Mr. Segerstrom never practiced law, but his career in the professions he did serve, as outlined above, gave inspiration to his many friends and associates.

Charles Homer Segerstrom's widow, who was Carrie Inch of Sonora and whom he married in 1908, died in San Francisco some three months after her husband. They are survived by a daughter, Mrs. Martha Cronwall, and four sons: Charles H., Jr., Richard J., Donald I., and William F.

EDNA BRYAN BUCKBEE

New Members

NAME	ADDRESS	PROPOSED BY
	Sustaining	
Richard S. Rheem	Orinda	Membership Committee
	Active	
Frank Howard Allen	San Anselmo	Aubrey Drury
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John B. F. Bacon	Pasadena	Membership Committee
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J. Y. Baruh	Los Angeles	Membership Committee
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Dan Bowerman	San Carlos	Membership Committee
Denis Evarts Bowman	Glendale	Membership Committee
Houston Branch	Los Angeles	Warren R. Howell
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Ronald Bridges	Berkeley	Sandford Fleming
Mrs. C. S. Burtchaell	Ross	Mrs. Guy J. Giffen
Miss Delphine A. Caire	Oakland	Mrs. Rogers Parratt
Walter Chandler	Madera	Mrs. Rogers Parratt
Miss Pearl Chase	Santa Barbara	Mrs. John Russel Hastings
Miss Elisabeth Craig	San Francisco	Mrs. Jerome A. Hart
Mrs. Richard Dakin	Pasadena	Allen L. Chickering
Edmund Davies	Sacramento	Arthur C. Devlin
Arthur B. Dunne	San Francisco	Membership Committee
Arthur W. Foster III	Cloverdale	Mrs. Rogers Parratt
H. S. Furlong	Auburn	Membership Committee
Morton R. Gibbons, Jr., M.D.	San Francisco	Morton R. Gibbons, M.D.
Charles E. Greenfield, Jr.	Belmont	Membership Committee
Frank A. Guernsey	Represa	Membership Committee
Robert D. Haines	San Francisco	Joseph Henry Jackson
Jacques Hayes	Oakland	Membership Committee
Alfred D. Hendrickson	San Francisco	Francis Farquhar
William H. Hoburg	San Francisco	George L. Harding
Orra Crosby Hyde	San Francisco	Walter Schilling, M.D.
Leander L. James	San Francisco	A. S. Macdonald
Hiram W. Johnson 3rd	San Francisco	Warren R. Howell
Mrs. Karl E. Johnson	San Francisco	Miss Frances Molera
Dana H. Jones	San Marino	Membership Committee
Webster A. Jones	San Rafael	Warren R. Howell
Gordon B. Kaufmann	Los Angeles	Membership Committee

NAME	ADDRESS	PROPOSED BY
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Richard Kessell	Oakland	Edgar B. Jessup
Charles de Limur	San Francisco	Warren R. Howell
Mrs. James P. Livingston	San Francisco	Mrs. Jehanne Bietry Salinger
Ralph S. Lorimer	Piedmont	Edgar B. Jessup
Herbert W. Low	Oakland	Membership Committee
O. Cort Majors	San Francisco	Membership Committee
John L. Merrill	San Francisco	Membership Committee
Miss Anne Meux	Fresno	Mrs. Rogers Parratt
A. L. Mewhirter	San Francisco	T. E. Tryon
Miss Ivy Miller	Oakland	Mrs. Rogers Parratt
Lester J. Mittau	Stamford, Conn.	Franklin Mittau
Seeley G. Mudd, M.D.	Los Angeles	Membership Committee
A. M. Nash	Sacramento	Membership Committee
Michael E. Neish	San Leandro	Ralph H. Cross
New York Genealogical and Biographical Society	New York City	Mrs. John Russel Hastings
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Stuart Rawlings, Jr.	San Francisco	Warren R. Howell
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William H. Schuchardt	Los Angeles	Membership Committee
Donald I. Segerstrom	Sonora	Continuing Charles Segerstrom's membership
Weston Settlemier	San Francisco	Membership Committee
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Alfonso Stock	Berkeley	Ralph H. Cross
Carl Sugar	San Leandro	Membership Committee
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Ernest A. Vogt	San Francisco	Warren R. Howell
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Harry N. M. Winton	Great Neck, N. Y.	Miss Ruth Teiser

Marginalia

To store an intellectual subject of such amplitude as Henry R. Wagner within the confines of a typical Marginalia note would require the cranial hardihood of a *Melanerpes formicivorus* ("California woodpecker" to the editor on less formal occasions). Instead, the reader is referred to over four inches in *Who's Who* for factual purposes and to Mr. Wagner's own *From Bullion to Books* (Los Angeles: The Zamorano Club, 1942) for pure entertainment. Still later source-material is the citation accompanying the degree of Doctor of Humane Letters granted this year to Mr. Wagner, in absentia, by Yale University (one of only three so awarded by that institution in its 245 years of existence), from which we quote: "Book-collecting has been his chief and abiding occupation. His relentless pursuit has been carried on through five decades and during his residence in three different continents. He has been a citizen of the world and is a part of all that he has met. . . . His reputation as a collector is equalled only by his skill as a bibliographer. A mere 'check list' of his publications covers some sixteen pages. . . ." (See current *Yale Alumni Magazine* for full text of citation.) Regarding his active interest in the California Historical Society, see pages 253-57 in *From Bullion to Books*, referred to above; see also this QUARTERLY, I (July 1922), pages 9-22 for his account of the Society from 1852 to 1922, and pages 35-36, "The Discovery of California," written by Dr. Wagner with special dispatch because, as he expressed it, "material for our new QUARTERLY did not rush in on us." He is now over eighty, but his ability "to meet deadlines" is just as sound as ever.

Dr. J. N. Bowman, who writes on the Spanish anchorage in San Francisco Bay, studied at Heidelberg, Leipsig, and Berlin, returning to Heidelberg for completion of his doctor's thesis on Cromwell's foreign relations. He was professor of history at the University of California, 1906-1912, and at the University of Washington from 1912-1918. In 1926-27 he returned to the University of California as lecturer in economics. See this QUARTERLY, XII, pp. 173-75, and XXI, pp. 311-20, for his studies on early towns of Alameda County and California land-grant registry.

Albert Arthur Woodward, author of "Lances at San Pascual" in the present issue of the QUARTERLY, is a graduate of the University of California and of the Cummings School of Art in Des Moines, Iowa, and since 1928 has been director of history and anthropology in the Los Angeles County Museum of History, Science and Art. During 1926-28 he was on the staff of the Museum of the American Indian, Heye Foundation, in New York City, subsequently gaining much technical experience while engaged in archaeological expeditions in Arizona and Utah and in excavating Indian sites along the coast of California and on the Channel Islands. From 1934 to 1936, on leave from the Los Angeles County Museum, he acted as technician and assistant-chief, Museum Division, National Park Service. His writings include: *The Story of El Tejon*, in collaboration with Helen S. Giffen, Los Angeles, 1942; and some fifty articles relating to history, archaeology, and ethnology.

Walter C. McKain, Jr., senior author of "Santa Barbara Between Two Social Orders," has had much experience in handling statistical and other information gathered in connection with his work as social science analyst, Division of Farm Population and Rural Welfare, Bureau of Agricultural Economics. His thesis for the Ph.D. degree at Harvard University, in process of final preparation, is concerned with the results of studies, initiated by the Bureau, on rural trends in certain "laboratory counties," among them Butte County, particularly as regards the problems and adjustments of older people in the vicinity of Paradise. Miss Sara Miles, co-author, was graduated from the University of California in 1945, majoring in psychology, and as a research clerk has worked along the same lines as Mr. McKain. Their Santa Barbara paper is a by-product of a larger study on migration to California.

AMONG OUR NEW MEMBERS:

Two members of the University of California's "Wonder Team" of the 1920's have joined the Society: Stanley N. Barnes, now president of the University Alumni Association, and O. Cort Majors, who captained the team during his senior year.

Denis Evarts Bowman, as Latin Master of the William Penn Charter School, became interested in the historical records and monuments of Philadelphia. Upon moving to California, his interest, stimulated by John Steven McGroarty, was transferred to the study of the history of California.

From 1944 to May of 1946, F. Albert Bridewell was with the State Park Department at Mission La Purissima Concepcion; since that time he has been curator of the Vallejo Home State Historic Monument.

Mrs. Clarence S. Burtchaell, president of the Woman's Auxiliary of the Society of California Pioneers, is the third of four generations of her family to be born in California. Her grandfather, John Holland Mallet, arrived in 1836, and by 1846, at the age of twenty-four, he had his own line of ships to the Sandwich Islands.

Miss Delphine A. Caire has been identified with the history of California for some ninety years. She is a member of the Caire family who were owners, not only of the firm of Justinian Caire, but also of Santa Cruz Island in the Santa Barbara Channel.

Miss Elisabeth Craig's first experience in California was as a teacher in the Yuba City Union High School. Since then she has attained an LL.B. degree, and is now a practicing attorney. One of her great-uncles, Major Hugh G. Brown, served as aide to Gen. E. O. C. Ord.

Mrs. Richard Dakin is continuing the membership of her mother, Susanna Bixby Bryant, whose death occurred on October 2nd of this year.

Arthur W. Foster III is, as his name implies, the grandson of A. W. Foster, for many years a prominent and well-beloved figure in northern California.

Harold Sproul Furlong tells us he is fortunate enough to own the only known file of the *Placer Democrat* for 1854-1855. All his grandparents were

California pioneers, and his maternal grandmother, at the age of four, crossed the plains with the Applegate Party of 1843.

Robert D. Haines will be known to all collectors of Californiana for the assistance he has given them in his San Francisco book shop.

Hiram W. Johnson 3rd carries the name of his distinguished grandfather, who served his state for many years as governor and later as United States senator.

Mrs. Karl E. Johnson, granddaughter of Titus Hale who was the last '49er president of the Society of California Pioneers, majored in history in college, and is now resuming her interest in the subject.

The interest of Dana H. Jones in California has found expression in his activities with the Zamorano Club, the Huntington Library, and the Historical Society of Southern California, and more personally in his own collection of Californiana.

Webster A. Jones, prior to the war in which he served as a commander in the United States Navy, was a director of the Oregon Historical Society. Living now in San Francisco, he has extended his historical interest to California.

Gordon B. Kaufmann's formative years were spent in England, and on coming to California he, as an architect, was first struck with the romantic quality of the historic buildings of the state. He feels that his primary interest in the history of California is the unique development fostered by the method of colonization employed by the Spaniards in contrast with that of the British and American pioneers.

Dr. Robert T. Legge, listed among the new members in the September QUARTERLY, is a native of San Francisco and a graduate of the medical department of the University of California, with which institution he has been associated successively as professor of hygiene, university physician, and lecturer in industrial medicine, from 1914 to 1942. His honors have been in the field of industrial hygiene and surgery. Dr. Legge's paternal grandfather, Robert Legge, was an English army officer who came around the Horn on a pleasure trip, arriving in San Francisco in 1838. Here their ship exchanged its ballast of sand and rock for one of hides, tallow, and redwood logs, and started on its return voyage via New Orleans, where the young officer married a planter's daughter. By 1851 he was back again in San Francisco (his family having joined him), thereafter going to the mines in the vicinity of Mokelumne Hill, where as a military officer he aided in suppressing Indian raids. He became interested in developments connected with the Comstock mines, and established a stage and freight line from Virginia City to Marysville. In honor of his military achievements he was buried at Mokelumne Hill; his wife, a Catholic, in Mission Dolores Cemetery.

Duncan McDuffie (see new members, September QUARTERLY) came to Santa Barbara from Jefferson City, Iowa, with his father in 1887. After graduation from the University of California with the class of 1899, his interest turned toward the subdivision of suburban land into residential tracts. This he carried on in the East Bay and in San Francisco for over forty years along the lines of the best in landscaping practices, enabling him to show his great love of trees and plants—which has thus become more than an avocation in Mr. McDuffie's case. Historically, the areas he and his firm, Mason-McDuffie, have brought into the market are of interest, in that the Claremont district was part of the Edson Adams farm, and the Northbrae tract (opened in 1906 at the time of the extension of the Southern Pacific suburban lines to Berryman station), part of the Jones farm, the land occupied by and between these two places being included in the original 11-league San Antonio rancho granted to Luis Peralta in 1820. In spite of the stress of his business career, Mr. McDuffie has found the time to serve on several boards, both active and advisory, concerned with state parks, civic arts, and scenic preservation, and is now president of the Save-the-Redwoods League.

O. Cort Majors. *See under* Stanley N. Barnes.

A. L. Mewhirter has devoted his leisure time to emigrant trail exploration and the collection of relics found on the routes. He accompanied Dr. and Mrs. William G. Paden on a trip over the Hastings Cut-Off during the summer just passed.

Lester J. Mittau, now resuming his membership in the Society, is practicing law in Stamford, Connecticut. He is a brother of Franklin Mittau, an interested and active member of the Society.

Miss Nell O'Day, in her work as librarian of the John Henry Nash collection, acquired not only a love but a thorough knowledge, also, of the history of California in its various ramifications.

Mrs. Henry L. Parish is the daughter-in-law of one of the Mother Lode's early builders: Charles Louis Parish, who built the Big Bar Bridge over the Mokelumne River. Her husband was born in the cottage near-by, which is still standing.

W. Harold Peck is engaged in writing a history of Yolo County, and will welcome any information regarding that county which may be in the possession of members of the Society.

Three generations of the Roeding family have engaged continuously in the nursery business in central and northern California. George C. Roeding, Jr., the present representative of the family, has his headquarters on a 300-acre nursery at Niles. On the property is the historic José de Jesús Vallejo adobe. Roeding Park, in Fresno, stands as a living memorial to the two elder Roedings.

William H. Schuchardt, like Gordon B. Kaufmann, another of our southern members, is an architect. Mr. Schuchardt, however, does not practice his profession; instead he devotes his time to civic affairs in his capacity as a member of the Board of the Los Angeles Chamber of Commerce and of the Los Angeles County Museum, and as a member of the Los Angeles City Planning Commission.

George F. Settlemier, grandfather of Weston Settlemier, was a '49er who married a member of the Nandino family of Calaveras County. Weston Settlemier's avocation is numismatics.

Carl Sugar, a member of E Clampus Vitus, was born and educated in Los Angeles, but has for some time been living in the Bay area.

John Wickson Thomas is the son of the late John Hudson Thomas, architect, whose father was Frederick Folger Thomas, superintendent of the Kennedy mine in the early 1880's and later general manager and president of the Gwin mine. His maternal grandfather was Professor Edward James Wickson of the University of California and editor of the Pacific Rural Press, 1875-1923.

Miss Victoria Williamson is a member of the staff of Will Rogers State Park.

A. Jeffery Wilson, with Mrs. Wilson, is an enthusiastic student and collector of Californiana, being particularly interested in the Pajaro Valley region.

CALIFORNIA HISTORICAL SOCIETY

Incorporated March 6, 1886 Reorganized March 27, 1922

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